



MEMORANDUM

DATE: August 6, 2018
TO: AAHA Member Association Presidents
FROM: Glenn Hefferan
RE: Full Ice Mites and USA Hockey Guidelines on Non-Sanctioned Play

The purpose of this memo is to remind our member organizations about the Atlantic Amateur Hockey Association (AAHA) and USA Hockey's ADM and Non-Sanctioned Play policies. Simply stated, AAHA member organizations are required to comply with ADM policies and guidelines, which includes the requirement for all 6U/8U games to be played either cross or half ice. Full ice games at these age levels are not sanctioned by USA Hockey.

Recently, several entities have emerged to organize teams into **full ice Mite or 8U leagues or similar**. These emergent activities are occurring outside of the USA Hockey umbrella. USA Hockey's "Guidelines Regarding Non-Sanctioned Play" (found in the USA Hockey Annual Guide – excerpt attached herein) describes the requirements for all efforts managed outside of USA Hockey policies. This Guideline It essentially provides the requirements for USA Hockey member associations participating in "Non-Sanctioned" events so that there is clear separation between those activities that are USA Hockey approved and those that are not. It goes further to state that "violations of these requirements could subject the team, coaches, administrators and or programs to sanctions as determined by the Affiliate following a hearing and any appeals provided in USA Hockey Bylaw 10."

The "Non-Sanctioned Play Guideline" covers an assortment of issues, however for addressing the non-sanctioned "Full Ice 8U" Games, this excerpt from the policy is significant.

"A group of Individual Participants from a USA Hockey team playing in a non-USA Hockey sanctioned event or game must do so as part of a separate organization (for example, a separately incorporated corporation) that is sufficiently distinct from the USA Hockey sanctioned program. The non-sanctioned organization or team(s) should also have a separate board of directors, the team cannot wear the same uniforms or have the same team names, and all rink or vendor contracts relating to the non-sanctioned team(s) or activities must be in the name of the separate organization rather than the USA Hockey member organization or team. A sanctioned program should have separate bank accounts from the non-sanctioned organization. Additionally, sanctioned and non-sanctioned programs should not be included in the same advertisements." or websites.

You are encouraged to familiarize yourself with the entire "Non-Sanctioned Play Guidelines" and not just what is highlighted above.

I am continuing to have dialog with USA Hockey Leadership on this subject as it is my personal belief that USA Hockey and its Affiliates should take a different approach to find sensible ways to keep all Clubs and teams under the USA Hockey umbrella.

Please let me know if you have any questions. Enjoy the rest of the Summer...hockey season will be here soon enough.



FROM PAGE 41-44 – 2017-18 USA HOCKEY ANNUAL GUIDE

K. GUIDELINES REGARDING NON-SANCTIONED PLAY

USA Hockey and its Affiliates are charged with establishing rules and policies for the organization, coordination and betterment of hockey, including developing players, coaches and officials, and managing and minimizing risks associated with the sport. Examples of recent rules and policies include the American Development Model (ADM), cross-ice hockey for players 8 and under, and processes and procedures for expansion of junior hockey programs. USA Hockey strongly believes in these programs as evidenced by the overwhelming support they have received across the country, the continuing growth in membership, and the advances that have resulted and are expected to result in the development of hockey players in our country.

USA Hockey has had inquiries regarding the rights and obligations of USA Hockey, its various Affiliates and local programs with respect to ice hockey that is not sanctioned by USA Hockey. To provide guidance to Affiliates and local programs, USA Hockey, as the National Governing Body for ice hockey in the United States, provides the guidelines below acting pursuant to USA Hockey's authority under the Amateur Sports Act (36 U.S.C. § 220501 et. seq.).

A. For a game to be sanctioned by USA Hockey, all players, coaches and officials in the game ("Individual Participants") must be members of USA Hockey and the USA Hockey Affiliate with jurisdiction over their respective geographic area(s). Participating teams must also be members of the applicable USA Hockey Affiliate.

B. There may be occasional exceptions to the above-stated membership requirement where in certain limited, special circumstances, USA Hockey or the applicable USA Hockey District Registrar may provide a special event sanction for an event where not all participants are members of USA Hockey ("Special Events"). These Special Events are occasional and have generally been limited to exhibition games between USA Hockey teams and High School Federation, prep schools or NCAA teams, Try Hockey For Free programs, and charity games. The limited nature of these exemptions is largely due to USA Hockey insurance and risk management concerns.

C. Any Individual Participant may become a member of USA Hockey. Membership in or registration with another sanctioning body may not be used as a basis to deny membership in USA Hockey, its Affiliates or local programs. Correspondingly, no Individual Participant may be penalize for participating in a program that is not sanctioned by USA Hockey. On the other hand, an Individual Participant may be disqualified from membership for violation of USA Hockey Bylaws, Rules & Regulations or Policies in accordance with USA Hockey's Dispute Resolution Procedures.

D. Affiliates may establish reasonable rules for compliance by such Affiliate's member organizations and/or teams seeking membership in or who are already members of the Affiliate, provided that such rules do not conflict with the Bylaws, Rules & Regulations, Policies or directives of USA Hockey.

E. If a team desires to play in a USA Hockey sanctioned game, tournament or event, then, unless it is sanctioned as a Special Event, the team and its Individual Participants must be registered with USA Hockey and the applicable Affiliate. Such registration implies and constitutes the registrant's agreement that the team and all of its Individual Participants will be subject to the Bylaws, Rules & Regulations, Policies and Playing Rules of USA Hockey and the reasonable requirements of membership for the applicable Affiliate. The only exceptions to the requirement that sanctioned games, tournaments and events require that the team and all Individual Participants be registered with USA Hockey and the applicable Affiliate, are for Special Events noted above, and circumstances where the applicable USA Hockey registrar has approved such participation in writing and in advance (see USA Hockey Rules & Regulations, Section VIII.B).



(Non-Sanction Play Policy – Continued)

F. Once an organization, team, or Individual Participant becomes a member of USA Hockey and the applicable Affiliate, that Affiliate may require that the member organization, team, and all Individual Participants continue to comply with the reasonable requirements for membership in the Affiliate. This may include, for example, such rules as coaching certifications, background screening, equipment requirements, safety mandates, and other rules, including the ADM and cross-ice hockey, and such other reasonable requirements of a USA Hockey Affiliate.

G. An Affiliate may enforce a rule that prohibits its member teams from participating in games or practices that are not sanctioned by USA Hockey. Unless sanctioned as a Special Event, USA Hockey's insurance policies may not be available to cover USA Hockey programs, teams and Individual Participants when participating in a game or practice among or against a non-sanctioned team. A parent of a youth hockey player that has registered with USA Hockey with the expectation of receiving the benefits of such membership, should not be placed in a situation where they may be surprised to learn after their child is injured that USA Hockey insurance is not available because the injury occurred during a non-sanctioned event.

H. An Affiliate may also enforce a rule that its member organizations must register all of their teams and players with USA Hockey and the Affiliate. If an Affiliate has such a rule, a member organization within that Affiliate cannot register some of its teams with the Affiliate while other teams in that organization are not registered with the Affiliate. Important reasons for such a rule are so that neither USA Hockey nor its Affiliates become liable for activities conducted by a member organization that is also conducting non-sanctioned events, and to prevent the occurrence of situations where USA Hockey's insurance could potentially be asserted to apply in a non-sanctioned event.

I. Despite the foregoing, if an Affiliate's member organization or team desires to play in events or games that are not sanctioned by USA Hockey, they may seek a Special Event sanction for such game or event, or they may also do so provided that certain other requirements are met. A group of Individual Participants from a USA Hockey team playing in a non-USA Hockey sanctioned event or game must do so as part of a separate organization (for example, a separately incorporated corporation) that is sufficiently distinct from the USA Hockey sanctioned program. The non-sanctioned organization or team(s) should also have a separate board of directors, the team cannot wear the same uniforms or have the same team names, and all rink or vendor contracts relating to the non-sanctioned team(s) or activities must be in the name of the separate organization rather than the USA Hockey member organization or team. A sanctioned program should have separate bank accounts from the non-sanctioned organization. Additionally, sanctioned and non-sanctioned programs should not be included in the same advertisements or websites. Distinguishing teams participating in non-sanctioned events or programs from teams that are members of USA Hockey will help avoid making USA Hockey, its Affiliates or member organizations liable for activities conducted in connection with non-sanctioned play; prevent the occurrence of situations where USA Hockey's insurance could potentially be asserted to apply in a non-sanctioned event; and will also help make Individual Participants (and their parents or guardians) aware of which games or events are under USA Hockey rules and oversight and are covered by USA Hockey insurance and other benefits. For a violation of these requirements, the team, coaches, administrators and/or program may be subject to sanctions as determined by the Affiliate following a hearing and any appeals provided in USA Hockey Bylaw 10.



(Non-Sanction Play Policy – Continued)

J. USA Hockey Rules & Regulations, Section III., provides as follows:

Any youth player (male or female) rostered on a Tier I or Tier II youth or girls'/women's team and a Junior Program team as of December 31, can only play for one team after December 31. Except for players playing in Tier I or Tier II Junior hockey pursuant to the Youth/Junior Affiliate Player Policy, if the player plays in a Junior game after December 31, he/she loses all eligibility on his/her youth or girls'/women's team for the remainder of the season, regardless of how many games are played at the Junior level.

This rule should be applied to any games played at the Tier III Junior level with any organization. The purpose of this rule is that players playing on youth teams during the latter half of the playing season should not also be playing Junior hockey. Further, not having Junior players participating in Youth national tournaments protects the integrity of the USA Hockey National Championships. By applying the rule regardless of the sanctioning body that governs the applicable Junior team, all Tier III Junior teams are treated equally.

K. *Affiliates and officials' organizations may establish and use reasonable criteria, rules and procedures for selection and scheduling of officials for games within their jurisdiction. There are numerous valid reasons why an Affiliate, officials' organization or scheduler may select one official over another for a particular game, league or level of play. For example, an official's experience in and availability for USA Hockey in season games may be a factor to consider in evaluating officials for development or elite progress, or USA Hockey District or National Tournaments. However, no USA Hockey official may be penalized, threatened, excluded or made ineligible for officiating USA Hockey games based on that official being certified by or officiating games that are not sanctioned by USA Hockey or are sanctioned by some other entity. Many USA Hockey officials work games not under USA Hockey's authority (e.g., NCAA, Canadian Hockey League, East Coast Hockey League, High School Federation, etc.). To be sure, an official will not receive the benefits of USA Hockey, including insurance coverage, supervision, disciplinary processes and enforcement, etc., while officiating a game not sanctioned by USA Hockey, and that official is not permitted to wear a USA Hockey crest/patch on their jersey during a game not sanctioned by USA Hockey. To reiterate, no Affiliate may, and no Affiliate shall permit an officials' organization or scheduler under its control to, punish, threaten, blackball or make any official ineligible for USA Hockey games, based on the official becoming certified by another entity or officiating games that are not sanctioned by USA Hockey. Most hockey programs and officials' associations endeavor to consider their officials to be independent contractors; to place restrictions on officials from officiating non-sanctioned games may place that independent contractor status at risk, and subject the hockey program or officials' association to other liabilities.*

L. USA Hockey may amend or supplement these guidelines.

M. For questions related to these guidelines or other rule scenarios, please contact USA Hockey's General Counsel.