

# Association of Yukon Paragliders and Hang Gliders AYPH

## Standard Operating Procedures

**Date of draft:** 2016.10.13

### **Purpose of this operating procedure**

1. The purpose of this operating procedure is to define procedures for disciplinary measures against members of the AYPH.

### **Reasons for Taking Disciplinary Measures**

2. The AYPH BoD may invoke disciplinary measures against a member whose conduct shall have been determined by the Directors to be improper or likely to endanger the interest or reputation of the AYPH or the sports of hang gliding and paragliding. This includes, without limitation:
  - a. committing financial impropriety with funds of the AYPH;
  - b. committing election fraud;
  - c. making representation in the name of the AYPH without proper authorization from the BoD;
  - d. participating in flying-related activities that are deemed to endanger the safety of persons or property;
  - e. participating in activities that are deemed to diminish the image and/or reputation of the sport or of its participants in the eyes of the public or public officials.
  - f. initiating a lawsuit naming the AYPH as a defendant; and
  - g. participating in any activities that are deemed to risk continued access to a flying site.

### **Types of Disciplinary Measures**

3. The AYPH BoD can take the following disciplinary measures:
  - a. Expulsion from the Association;
  - b. Issuing a demand for an Assurance of Voluntary Compliance (AVC).

### **Expulsion**

4. Expulsion from the AYPH is the most severe disciplinary measure available to the AYPH. The AYPH by-laws state that "any Member may be expelled by a resolution to that effect at a meeting of the BoD and shall be carried by a simple majority of the vote of Directors present."
5. Expulsion from the AYPH shall be taken as a last measure when other disciplinary measures have been unsuccessful or when the BoD judges that the action(s) in question warrant an expulsion as the most viable option.
6. No vote on the expulsion of an offending Member shall be taken without giving that Member an opportunity to present his/her case to each Director who shall be voting on

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the resolution for expulsion. The offending Member shall be given 30 calendar days from the day the resolution is proposed to present his/her case. It is the responsibility of the Member to contact the directors, and the discourse may be conducted in a format (email, regular mail, telephone, in person) mutually agreed between the Member and each Director.

7. An expelled Member cannot re-apply for AYPH membership for a period of one year. Applications from a currently expelled member shall be accepted only on approval of the BoD. The BoD may apply conditions for accepting a membership application from a currently expelled member, which may include conditions for continued membership.
8. The AYPH shall not reimburse the annual membership fee of an expelled member.

#### **Assurance of Voluntary Compliance**

9. The Assurance of Voluntary Compliance (AVC) is an agreement between the AYPH and the offending Member that itemizes AYPH's concerns and specifies the actions the Member must take and conditions the Member must meet in order to avoid further disciplinary measures. More specifically, the agreement shall include:
  - a. The reason the AVC process has been enacted;
  - b. A description of the situation that must be corrected;
  - c. A list of the specific actions and/or conditions the member must complete or meet;
  - d. The timeframe by which the actions and conditions must be completed and met;
  - e. Any other information pertinent to the situation either as part of the text or as attachment to the AVC;
  - f. The signatures of offending Member.
10. As a disciplinary action, an AVC shall be used only after a representative of the BoD has made reasonable efforts to talk to the offending Member about correcting the offending behaviour, and the Member either expresses no intention to correct that behaviour, or continues to behave inappropriately in spite of words to the contrary. (An offending Member should not be surprised to receive an AVC.)
11. The President shall be responsible for verifying and confirming in writing to the BoD that all actions and conditions have been met. The AVC process shall be deemed completed once the BoD has received this confirmation, and the AVC shall then be cancelled. Records of AVCs shall be associated with the offending Member's file for future reference.
12. Upon successful completion of an AVC, the AYPH BoD shall send a confirmation of compliance letter of thanks to the Member for improving his/her actions.

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13. If a member fails to meet the conditions specified in the agreement for reasons that are judged to be valid by the AYPH appointee, the BoD may elect to modify the terms of the agreement, with the offending Member's concurrence.
14. If a member fails to meet the conditions specified in the agreement for reasons deemed to be invalid by the AYPH appointee and by the BoD, the BoD may elect to conclude the AVC process and invoke further disciplinary measures.
15. An AVC shall only be employed after all other reasonable means of addressing a particular situation has been tried without success.

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