

Board Governance Policy Document Michigan State Youth Soccer Association

Mar 2009 Rev 1.0.2

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**Michigan State Youth Soccer Association
Board of Directors Governance Policy**

1.0 INTRODUCTION

Governance is the exercise of authority, direction and control of an organization in order to ensure its purpose is achieved. It refers to who is in charge of what; who sets the direction and the parameters within which the direction is to be pursued; who makes decisions about what; who sets performance indicators, monitors progress and evaluates results; and, who is accountable to whom for what. Governance includes the structures, responsibilities and processes that the board of an organization uses to direct and manage its general operations. These structures, processes and organizational traditions determine how authority is exercised, how decisions are taken, how stakeholders have their say and how decision makers are held to account.

Governance policies formalize the roles and responsibilities of the board and establish its functions and practices. They outline how governance is supposed to work.

2.0 BOARD STRUCTURE & RESPONSIBILITIES

The structure and mandate of MSYSA are defined by the legislation under which it is incorporated, any special purposes legislation governing its mandate, the bylaws, and these governance policies enacted under the authority of the by-laws.

The Board's job is to govern the affairs of MSYSA within the framework of relevant legislation and standards. The Board of Directors, representative of the MSYSA's membership and the community, is given the legal authority and responsibility for the achievement of the organization's mission, for its stability and for provision of systematic linkage with other organizations engaged in the pursuit of similar objectives, and the community at large. It is responsible for ensuring that it has adequate information to monitor major areas of performance.

The Board, in discharging its responsibilities for the governance of MSYSA, oversees

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the management of the finances. The Board ensures the proper and adequate discharge of this duty through its Treasurer acting on behalf of and reporting to the Board.

2.1 Planning

One of the most important responsibilities of a Board of Directors is to provide general guidance and direction for an organization. A comprehensive framework for planning, setting priorities, management and budgeting is essential to effective and responsible organizational stewardship. Good planning results in better communication and a better understanding of how various parts of an organization work together to produce desired results.

2.2 Strategic Plan

The Board of Directors, with the assistance of staff and in consultation with key stakeholders, establishes the MSYSA'S overall direction through the development and approval of a Strategic Plan. This plan provides a tentative blueprint for the associations direction and activities for the next three to five years based on a scan of internal and external factors that may bear on the resources and direction of the organization. It identifies the "key areas" in which the Board wants to focus the activities of the Association and general goals for each of these areas.

2.3 Financial Stewardship

The Board is responsible to review and recommend the annual operating and capital budgets; secure adequate financial resources; ensure development of financial management and inventory control systems adequate to properly record financial transactions and control of assets; monitor efficient use of resources; and, ensure the establishment of proper financial controls and policies.

2.4 Performance Monitoring and Accountability

The Board is responsible for ensuring that adequate systems are in place for monitoring organizational performance; monitoring the general performance of the organization against legislative and regulatory requirements and approved objectives of the organization; and reporting to funders and other key stakeholders.

2.5 Risk Management

The Board is responsible to

- ensure that by-laws are current

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- that governance practices are consistent with the by-laws
- adequate insurance provisions are in place to protect the organization and board from potential liabilities;
- resources are sufficient to minimize risk to employees and volunteers
- compliance with statutory and regulatory requirements
- that policies are respected in actual practice
- adequate contingency plans are in place to protect against reasonably anticipated crises

2.6 Community Representation and Advocacy

The function of public relations is to assist MSYSA in achieving its goals and objectives through the development and execution of programs designed to earn public understanding and support. The Board is responsible to represent:

- the organization positively to the community;
- to fairly represent community perspectives to the organization;
- to ensure Membership input to its planning;
- to advocate for adequate resources to fulfill the organizational mandate.

Authority to speak on behalf of MSYSA shall rest with the President .This authority may be delegated to others in MSYSA within their special fields of competence or knowledge.

Major statements of an advocacy nature must be consistent with the general parameters of Board approved policies or positions. This is not intended to inhibit expression of personal or professional opinions but care should be taken by individual directors to distinguish these from positions of the MSYSA.

2.7 Management of Critical Transitional Phases

The Board is responsible for management of critical transitional phases and events through committees . These include turnover in key positions in the board and senior management; rapid growth or decline in resources, labor relations disputes, and issues of significant public controversy.

3.0 Governing Style

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The Board Provide Strategic Leadership to MSYSA , In order to do this , the Board will :

1. Look to the future and keep informed of issues and trends that may effect the mission and organizational health of MSYSA.
 2. Make decisions based on knowledge of community needs and best practices and in accordance with the mission
 3. Be proactive and visionary in its thinking.
 4. Encourage thoughtful deliberation, incorporating a diversity of viewpoints.
 5. Work together as colleagues, encouraging mutual support and humor.
 6. Have courage to lead and make difficult decision.
 7. Commit to excellence in governance, including regularly monitoring assessing and improving its own performance.
 8. Board members will at all times conduct their business in accordance with the principles of fair play and due legal process.
 9. Enforce upon itself and its members the behavior that is needed to govern with excellence. This will apply to matters such as attendance, policy-making principles, Respect of roles, maintaining a unified front as a board, and monitoring and correcting any tendency of directors to stray from the principles of governance adopted in these policies. It will allow no officer, individual, or committee of the Board to neither usurp this role nor weaken this discipline.
- The board will monitor and discuss the Boards process and performance as needed.
 - In governing the Board will fulfill its legal responsibilities of :
 1. The Duty of fidelity that requires board members to be faithful to the mission of MSYSA in its policies and actions.
 2. The Duty of care that requires that in fulfillment of his/her duties , a board member owes MSYSA the care that ordinarily prudent person would exercise in like position and circumstances
 3. The duty of loyalty that requires Board members to always put the best interest of MSYSA first when making decisions affecting the organization.

4.0 Board Job Description

The purpose of the board , on behalf of the membership , is to see that MSYSA 1) fulfills its compact with the soccer community and 2) in doing so , serves as a wise steward of its resources while preventing unacceptable actions and situations.

Major Duties of the Board include the following

- Oversee development and approval of a long-term plan and approve annual budgets and operating plans
- Define and/or safeguard the organizational mission, the values framework and operating principles within which it expects MSYSA to be administered, and to review these periodically
- Govern MSYSA through broad policies and planning objectives approved by the Board, formulated with the Executive Director and staff, and reviewed periodically
- Select and support an Executive Director to whom the responsibility for administration of The organization is delegated
- Review and evaluate regularly the performance of the executive director on the basis of a specific job description and approved objectives
- Seek and secure sufficient resources for MSYSA to finance its programs adequately
- Account to the membership and funders, for the services of the organization and expenditures of funds
- Ensure prudent and proper management of resources
- Establish the general values framework in which Msysa's human resources will be managed and periodically monitor key human resource performance indicators

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- Approve and periodically review personnel policies within which human resources will be managed
- Establish guidelines within which management may negotiate pay and benefits agreements with staff
- The board is responsible for maintaining the connection between MSYSA and its membership.
- The board will produce written governing policies in the following areas :
 - a. Mission based outcomes which describe what good results , for whom and at what cost
 - b. Organizational Health , which defines expectations of , and limits the framework for executive actions and decision making.
 - c. Board governance process, which specifies how the board will ensure excellence in governance and monitor its own performance
 - d. Board-ED linkage, which describes the relationship between the Board and ED and describes the ED's Role , authority and accountability.
- The board will hold ED accountable through monitoring of his or her performance against board established policies and take corrective action as needed.

5.0 Authority and Accountability

The Board as a whole is responsible to the membership and those government and individual or donors who provide funds for the operation of MSYSA. The Board is also accountable, in a more general sense, to exercise good stewardship of MSYSA on behalf of the trust placed in it by the membership , staff, volunteers and other stakeholders.

Individual members are elected and/or appointed under the authority of the Bylaws and are responsible to the members of MSYSA who elect or appoint them. However, they have no authority to act or give direction individually other than in such manner as is approved in these policies or by resolution of the Board. The Board may delegate authority to an individual Director or officer or employee or member of a committee, however the Board retains ultimate responsibility and accountability.

The Board will account to MSYSA's members, Sponsors and other key stakeholders through annual and periodic reports on the activities and finances of the Association , annual audited financial statements, providing access to minutes of Board meetings (except Executive session

portions), receiving representations from and consulting with key stakeholders and generally operating in an open and transparent manner.

6.0 Due Diligence - Responsibilities of Individual Board Members

Each Board member is expected to become an active participant in a body that functions effectively as a whole. In addition to assisting in the exercise of the major duties of the Board outlined above, members are responsible to exercise due diligence in the performance of their duties. They are responsible to:

- ✓ Keep generally informed about the activities of MSYSA and the community, and general trends in which it operates.
- ✓ Attend Board meetings regularly, serve on committees of the Board and contribute from personal, professional and life experience to the work of the Board.
- ✓ Exercise the same degree of care, diligence and skill that a reasonably prudent person would show in comparable circumstances.
- ✓ Offer their personal perspectives and opinions on issues that are the subject of board discussion and decision.
- ✓ Voice, clearly and explicitly at the time a decision is being taken, any opposition to a decision being considered by the Board.
- ✓ Maintain solidarity with fellow directors in support of a decision that has been made in good faith in a legally constituted meeting, by directors in reasonably full possession of the facts.
- ✓ Ask the directors to review a decision, if he/she has reasonable grounds to believe that the Board has acted without full information or in a manner inconsistent with its fiduciary obligations, and, if still not satisfied after such review, ask that the matter be placed before the membership.
- ✓ Work with the staff of MSYSA on committees or task forces of the Board.
- ✓ Know and respect the distinction in the roles of Board and staff consistent with the principles underlying these governance policies.
- ✓ Exercise vigilance for and declare any apparent or real personal conflict of interest in accordance with the Corporation's By-laws and policies.

7.0 Decision -Making Process

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- The Board will make decisions by a process of careful deliberation, seeking out the wisdom and experience of many voices as appropriate , which may include Msysa Membership , Staff , volunteers , board members and others with knowledge of MSYSA'S mission.
 - a. The board will strive for consensus of opinion in its decision making
 - b. If consensus isn't reached after a reasonable period of deliberation , to be determined by the chair, then a Majority of members present for a quorum will make the final decision .

8.0 Confidentiality

Respect for confidentiality is the cornerstone of trust and confidence as well as a legislated obligation. Board members must at all times respect the confidentiality of any client names and/or circumstances that might identify clients. Similarly, all matters dealt with by the Board during in-camera meetings and matters related to personnel and/or collective bargaining must be held in strictest confidence. Confidentiality means Directors may not relate such matters to anyone including immediate family members. The duty of confidentiality continues indefinitely after a Director has left the Board.

Board members shall agree to an Oath of Office and Confidentiality upon joining the Board of Directors. (document attached at the end)

9.0 Code of Conduct

Board members and Staff are expected to comply with the prescribed Code of Conduct Which encourages the development of a spirit of collective decision-making, shared objectives and shared ownership of and respect for Board decisions.

Board members and staff of the organization will at all times conduct themselves in a manner that:

- ✓ Supports the objectives of Michigan State Youth Soccer Association
- ✓ Serves the overall best interests of Michigan State Youth Soccer association rather than any particular constituency

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- ✓ Brings credibility and good will to MSYSA
- ✓ Respects principles of fair play and due process
- ✓ Demonstrates respect for individuals in all manifestations of their cultural and linguistic diversity and life circumstances
- ✓ Respects and gives fair consideration to diverse and opposing viewpoints
- ✓ Demonstrates due diligence and dedication in preparation for and attendance at meetings, special events and in all other activities on behalf of MSYSA
- ✓ Demonstrates good faith, prudent judgment, honesty, transparency and openness in their activities on behalf of MSYSA
- ✓ Ensures that the financial affairs of MSYSA are conducted in a responsible and transparent manner with due regard for their fiduciary responsibilities and public trusteeship
- ✓ Avoids real or perceived conflicts of interest
- ✓ Conforms with the By-law and policies approved by the Board, in particular this Code of Conduct, the Oath of Office and Confidentiality and Conflict of Interest policies
- ✓ Publicly demonstrates acceptance, respect and support for decisions legitimately taken in transaction of the MSYSA'S business

10.0 Conflict of Interest Policy

Members of the Board of Directors shall act at all times in the best interests of the MSYSA rather than particular interests or constituencies. This means setting aside personal self-interest and performing their duties in transaction of the affairs of the MSYSA in such a manner that promotes membership confidence and trust in the integrity, objectivity and impartiality of the Board.

Members of the Board shall serve without remuneration. No director shall directly or indirectly receive any profit from his/her position as such, provided that directors may be paid reasonable expenses incurred by them in the performance of their duties. The pecuniary interests of

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immediate family members or close personal or business associates of a director are considered to also be the pecuniary interests of the director.

10.1 Definition of Conflict of Interest:

- Board members are considered to be in a “conflict of interest” whenever they themselves, or members of their family, business partners or close personal associates, may personally benefit either directly or indirectly, financially or otherwise, from their position on the Board.
- A conflict of interest may be “real”, “potential” or “perceived”; the same duty to disclose applies to each.
- Full disclosure in itself, does not remove a conflict of interest.

10.2 Principles for Dealing With Conflict of Interest:

- a) The Board member must openly disclose a potential, real or perceived conflict of interest as soon as the issue arises and before the board or its committees deal with the matter at issue.
- b) If the Board member is not certain he/she is in a conflict of interest position, the matter may be brought before the Chair, Executive Committee or Board for advice and guidance.
- c) If there is any question or doubt about the existence of a real or perceived conflict, the Board will determine by vote if a conflict exists. The person potentially in conflict shall be absent from the discussion and vote.
- d) It is the responsibility of other Board members who are aware of a real, potential or perceived conflict of interest on the part of a fellow Board member to raise the issue for clarification, first with the Board member and, if still unresolved, with the Board Chair.
- e) The Board member must abstain from participation in any discussion on the matter, shall not attempt to personally influence the outcome, shall refrain from voting on the matter and unless otherwise decided by the Board, must leave the meeting room for the duration of any such discussion or vote.
- f) The disclosure and decision as to whether a conflict exists shall be duly recorded in the minutes of the meeting. The time the person left and returned to the meeting shall also be

10.3 Examples of Conflict Of Interest On The Part Of A Board Member:

- a) Any circumstance that may result in a personal or financial benefit to a director or his family, business associate or friend. This includes, but is not limited to, accepting any

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payment for services rendered to the corporation, including contracted work or honoraria; accessing financial or other resources for personal use, i.e. transportation, training costs, supplies, equipment, etc.

b) Personal interests which conflict with the interests of the membership or are otherwise adverse to the interests of MSYSA.

c) Seeking, accepting or receiving any personal benefit from a supplier, vendor, or any individual or organization doing or seeking business with MSYSA.

d) Being a member of the board or staff of another organization which might have material interests that conflict with the interests of MSYSA or its membership ; and, dealing with matters on one Board which might materially affect the other Board;

e) Any involvement in the hiring, supervision, grievance, evaluation, promotion, remuneration or firing of a family member, business associate or friend of the director;

f) Individuals who serve as directors on the same board with members of their family or others with whom they have a direct business or personal relationship will be subject to an immediate perception of apparent conflict of interest

11.0 Disposition of Complaints and Disputes involving Directors

a) The Executive Committee, in a meeting duly called for the purpose, shall review any complaints that a director has violated any provision of the Corporation's By-laws, Governance Policies, Code of Conduct, Oath of Office & Confidentiality Agreement.

b) The Executive Committee shall similarly review disputes between members of the Board that interfere with the ability of the Board to carry on its business.

c) Complaints of a grave nature may be referred to an independent arbiter.

d) Allegations of illegal activity shall be immediately referred to police, child welfare or other appropriate authorities for investigation. Any director against whom such allegations are made shall take a leave of absence from the Board pending completion of the investigation.

e) The review of such complaints or disputes shall include an opportunity for the members concerned to present their positions. Executive Committee members who originate or are the subject of such complaints or disputes must declare their conflict and absent themselves from such meetings.

f) Every attempt should be made to resolve such matters expeditiously and fairly.

g) The recommendations regarding resolution of such matters shall be brought to the Board for approval.

h) The ruling of the Board shall be final. Should the member refuse to abide by the ruling the Board may table the matter pending determination of disciplinary action. Such action may include formal or informal censure by the Chair or the board, suspension or a request for the member's resignation.

12.0 Relationship to Staff

Board and staff work co-operatively to carry out the objectives of MSYSA. The board relies upon the ability, training, expertise and experience of staff to plan for and provide services within the MSYSA'S mandate. Committee and board meetings are the generally recognized avenues for board and staff to think and plan together.

The attendance of the Executive Director, or designate, at all committee meetings as a resource and staff support is essential to the effective work of the committees. Committees may advise the Board or the Executive Director but do not exercise authority over staff, and will ordinarily have no direct dealing with staff operations. Committee members must know and respect the distinction between Board and staff responsibilities.

Communications between Board and Staff, outside of committee meetings, shall be through The Board Chair or Executive Director. This includes:

- Any assignments or directives;
- Requests for organizational resources or staff time;
- Staff performance concerns or policy infractions;
- Concerns regarding any aspect of programs or administration.

13.0 BOARD DEVELOPMENT

13.1 Recruitment and Screening of New Board Members

The Nominating Committee will, as director vacancies occur or are anticipated, review the needs of the Board for specific expertise, resources or skills necessary to bring strength and balance to the Board. The Nominating Committee shall identify, check references, interview and recruit suitably qualified individuals willing to consider being nominated for such positions and recommend their appointment to the Board or members of the Corporation in a manner consistent with the By-law and these policies. The Nominating Committee will maintain a file of all interested candidates who have been so reviewed.

13.2 Orientation of New Members

New Board members shall receive a thorough orientation to their position within one month of becoming a member of the Board. Each new member shall also be assigned a more experienced member as a "buddy" or guide to help integrate the new member and answer any questions he or she may have about Board procedures. Orientation includes but is not limited to:

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- i. The history, mission and purpose
- ii. Constitution, by-laws and governance policy
- iii. An overview of funding sources
- iv. An overview of key policy areas and copies of policy to study
- v. Role, structure and functions of the Board
- vi. Board member Oath of Office & Confidentiality Agreement, Code of Conduct and
- vii. Conflict of Interest policies
- viii. Procedural guidelines for Board meetings
- ix. Procedures for Board member expenses
- x. A tour of facilities and introduction to key staff

14.0 Conflict Resolution

Board members are commonly recruited to bring diverse views on issues to board debates and decision-making. Constructive disagreements between board members are encouraged in a well-functioning board. They can generally be managed by following proper rules of procedure and encouragement of good listening skills. However, in the heat of board debate, disagreements sometimes degenerate into serious conflict on issues or between personalities.

The board chair is responsible for managing such conflicts. A neutral board member or third party should be selected if the board chair is a party to the conflict. It is important to identify early on whether the conflict is based on the immediate issue at hand or has deeper roots based on differences in personal values and history, personalities, personal or political agendas, gender or culture.

14.1 Managing Issues-Based Conflict

The following techniques are suggested to assist in managing issue-based conflicts:

1. Acknowledge the value and importance of divergent views in informing decision making.
2. Practice and encourage good listening skills, understanding and respect. Clarify the ground rules for effective communication: confidentiality of discussions, allowing others to have their say, listening to understand, group ownership of problems and solutions, focus on issues rather than personalities or personal attacks.
3. Assist the parties in defining the issue. State what you understand to be the substance of the issue and seek agreement between them on a clear definition of the issue. Name the problem!
4. Seek agreement on the objectives, outcomes or decisions sought by placing this item on the board agenda.
5. Assist the disputants to identify and expand points of agreement.
6. Assist them in identifying why this issue is important to them rather than encouraging

more debate on who has the best solution/idea.

7. Ask each to 'step into the other's shoes' and 'role play' the debate from the other's perspective.

8. Paraphrase or summarize the discussions repeatedly until they've reached consensus on points of agreement and disagreement.

9. Encourage both parties and other board members to suggest new insights or compromises. Seek agreement on a compromise.

10. Re-state the favored solution. Check with both parties to see if it is acceptable and will allow them to resolve the matter.

11. Table the item to be dealt with after a 'cooling off' period either later in the meeting, at a future meeting of the board or privately with the parties outside a board meeting.

14.2 Managing Personality-Based Conflict

The following techniques, in addition to those suggested for managing issue-based conflicts, are offered to assist in managing conflicts based on personality, personal or political agendas, or other more deeply rooted factors too time-consuming and disruptive to deal with during board meetings:

1. Do not waste valuable board time and energy in attempting to resolve such conflicts at the board table.

2. Meet with the parties individually outside the board meetings to express concern about the negative effect of their conflict on board deliberations, attempt to define the issues and seek a resolution of the conflict.

3. Meet with the parties together to determine whether an accord can be reached between them that will allow the board to function effectively with their continued membership. Seek to mediate their conflicts.

4. In the event that such an accord cannot be reached then suggest that either or both parties consider resigning their positions as directors of MSYSA.

5. Recommend disciplinary action to the board in the event that resignations are not forthcoming.

15.0 Executive Sessions

The following items may be considered in-camera upon an approved motion of the Board:

- Personal matters about an identifiable individual (i.e. client or employee)
- Acquisition or sale of land
- Labor relations or employee negotiations
- Litigation or potential litigation
- Receiving advice that is subject to solicitor-client privilege

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- Matters falling under the *Municipal Freedom of Information and Protection of Privacy Act*
- Matters of personal conflict between members of the Board as outlined in this governance
- Policy.
- Any other matters which, the public discussion thereof, the Board, by a two-thirds (2/3) majority vote, determines would be prejudicial to the interests of MSYSA and Its members.

Oath Of Office & Confidentiality Agreement

I, _____, a director of Michigan State Youth Soccer Association , declare that, in carrying out my duties as a director, I will:

1. Exercise the powers of my office and fulfill my responsibilities in good faith and in the best interests of MSYSA.
2. Exercise these responsibilities, at all times, with due diligence, care and skill in a reasonable and prudent manner.
3. Respect and support MSYSA’S by-laws, policies, Code of Conduct, and decisions of the Board and membership.
4. Keep confidential all information that I learn about Membership, personnel, collective bargaining and any other matters specifically determined by board motion to be matters of confidence including matters dealt with during in-camera meetings of the Board.
5. Conduct myself in a spirit of collegiality and respect for the collective decisions of the Board and subordinate my personal interests to the best interests of MSYSA.
6. Immediately declare any personal conflict of interest that may come to my attention.
7. Immediately resign my position as director of MSYSA in the event that I, or my colleagues on the Board, have concluded that I have breached my ‘Oath of Office’.

Signature _____:

Date: _____