

# **Fremont Emeralds Soccer Club, Inc.**

## **Constitution**

### **Article 1      Name**

The name of this organization shall be the Fremont Emeralds Soccer Club, Inc. (FESC), and may be referred to as the Club in this Constitution and the Code of Regulations. This organization has been formed under the laws of the State of Ohio as a non-profit corporation for the purposes set forth in Article 2, below.

### **Article 2      Purpose**

A. The Club is organized to operate within the meaning of Section 501(c)(3) of the Internal Revenue Code of 1986 (or corresponding provision of any future United States Internal Revenue law), as amended, (hereinafter the "Code") and more specifically, as a Qualified Amateur Sports Organization as defined in Code Section 501(j)(2), exclusively for the following purposes:

- (1.) To foster national and international amateur sports competition;
- (2.) To conduct and support local, regional and national soccer competitions; and,
- (3.) To support and develop amateur soccer athletes for national and international soccer competition.

B. In addition, in furtherance of the purposes described in the immediately preceding subparagraphs lettered (1.) through (3.), above:

(1.) The corporation shall not carry on propaganda or otherwise attempt to influence legislation except as an insubstantial part of its activities. The corporation shall not engage in any transaction or permit any act or omission that could operate to deprive it of its tax-exempt status under Section 501(c)(3) of the Code. The corporation shall not in any manner or to any extent participate in, or intervene in (including the publishing or distribution of statements), any political campaign on behalf of any candidate for public office; nor shall it engage in any "prohibited transaction" as defined in Section 503(b) of the Internal Revenue Code of 1986.

(2.) No part of the net earnings of the corporation shall inure to the benefit of any member of the corporation or other private individual, except that the corporation shall be authorized and empowered to pay reasonable compensation for services rendered to it. None of the property of the corporation shall be distributed directly or indirectly to any member of the corporation, except in fulfillment of its charitable and educational purposes enumerated in subparagraphs lettered (1.) through (3.), above.

(3.) In the event of dissolution or liquidation of the corporation, any assets remaining shall be distributed among such other organization(s) as shall qualify at the time as an exempt organization described in Code Section 501(c)(3) as the Trustees shall determine, such assets to be used for purposes consistent with those described in subparagraphs (1.) through (3.), above.

(4.) The corporation shall also have such powers as are now or may hereinafter be granted under the laws of the State of Ohio that are in furtherance of the corporation's exempt purposes within the meaning of Section 501(c)(3) of the Internal Revenue Code of 1986 (or the corresponding section of any future federal tax codes), as amended.

### **Article 3      Membership**

The membership of the Club shall be open, as provided in the Code of Regulations, to the parents of a child that plays soccer for a team sponsored by the Club and to individuals who support the activities and purposes of the Club. The Club will not discriminate against any individual on the basis of race, color, religion, age, sex or national origin.

### **Article 4      Precedence**

Except as to any matter that would cause the Club to be in violation of the purposes described in Article 2, above, or otherwise cause the Club to lose its tax exempt status under Section 501(c)(3) of the Code, the United States Soccer Federation, Inc. (hereinafter "USSF") articles of incorporation, bylaws, policies, and requirements take precedence over and supercede the governing documents and decisions of the Club and its members, and the Ohio Youth Soccer Association North (hereinafter "OYSAN") articles of incorporation, bylaws, policies and requirements take precedence over and supercede the governing documents and decisions its members to the extent applicable under state law, and the Club and its members will abide by the USSF and the OYSAN articles, bylaws, policies and requirements. As a part of the USSF Bylaws, the Club will allow USSF to review the documents and procedures of the association to comply with USSF Bylaws. The Club will abide by all requirements of USSF Bylaws 212 including, but not limited to: submission of membership information, holding hearings and protecting rights of members, registration and all other matters.

### **Article 5      Organization**

The Club shall operate pursuant to the laws of the State of Ohio and the United States of America. The Club shall have policies on Registration, Travel and Tournaments, Discipline and Appeals, Health and Safety of players and other policies. The Club shall prohibit all abuse of participants including sexual and physical, and shall maintain policies to help prevent such actions from occurring.

**Article 6 Administration**

A. Board of Directors.

1. The Club shall be governed by a Board of Directors elected by the Members and shall be composed of not less than 8 and not more than 16 persons. Each team sponsored by the Club shall be represented on the Board of Directors by two individuals, one of whom shall be the team's manager.

2. The Board of Directors shall have the powers and authority as set forth in the Code of Regulations.

3. The Board of Directors shall meet at least quarterly as provided in the Code of Regulations. Any member of the Club may attend the meeting.

B. Executive Director and other employees.

The Board of Directors may hire an Executive Director and/or other employees to perform the tasks necessary for the administration of the Club's programs. The Executive Director will provide reports on all aspects of the administration and programs of the Club, and organizations to which the Club is affiliated or associated, to the Board of Directors and membership, obtain necessary approvals as determined by the Board, supervise staff, manage the day-to-day working of the Club, do business on behalf of the Board, work with a Board-approved budget and perform all duties as directed by the Board through supervision by the President of the Board.

**Article 7 Dissolution**

Three-fourths (3/4) vote of Members and the Board of Directors is required to dissolve and end the Club. In that event, the assets of this Association shall be distributed as provided in Article 2, above.

**Article 8 Amendments**

The Board of Directors may propose amendments to the Constitution. Such proposals shall require the approval of a 2/3 majority of the entire board before they may be proposed to the Members. Amendments to this constitution will require a vote of 3/4 of the voting members who are present in person at a duly called meeting. The revised Constitution and/or any amendments shall become effective after the adjournment of the meeting upon which it was voted and approved providing there is no other date specified for the effective date.

# **Fremont Emeralds Soccer Club, Inc.**

## **By-laws/Code Of Regulations**

### **Section I. Name**

The name of this organization shall be the Fremont Emeralds Soccer Club, Inc. (FESC), and may be referred to as the “Club” within the Constitution and this Code of Regulations. The scope is limited to boys and girls engaged in youth soccer on the amateur level. The Club is affiliated with North West Ohio Youth Soccer League (NWOYSL), a division of Ohio Youth Soccer Association North (OYSAN) and United States Soccer Federation (USSF). The USSF is affiliated with the Federation International de Football Association (FIFA).

### **Section II. Objective**

The objective of the Club is to promote the growth of youth soccer within and around an unspecified geographical area surrounding Fremont, Ohio. This is accomplished by cooperating with all agencies concerned with the promotion of youth soccer; by providing information through literature, films, clinics and other materials or resources available to improve the level of soccer among its membership and beyond; by organizing and supervising tournaments; by establishing new teams and retaining current members; by assisting with the transition from youth to senior status; and by improving the image of soccer by promoting soccer within the news media.

### **Section III. Membership**

A. The membership of the Club shall be open to the parents of a child that plays soccer for a team sponsored by the Club and to designated individuals who support the activities and purposes of the Club. The Club will not discriminate against any individual upon the basis of race, color, religion, age, sex, income, or national origin.

B. The Club may develop a publicized scholarship program or guidelines to assist those prospective members that meet the Club’s established requirements. This may also be determined upon a case by case basis by a vote of the Board of Directors.

C. Club membership and NWOYSL seasonal year extends from September 1<sup>st</sup> to August 31<sup>st</sup>.

D. The Executive Committee, Board Members, respective team Coaches and Managers, pursuant to the rules and guidelines asserted within the NWOYSL, OYSAN and KidSafe Program, must comply in providing his/her information for purposes of random

background checks. Failure to do so may result in disciplinary actions in accordance with OYSAN guidelines.

E.. Definition of Membership:

1. **Regular Members.** The parents of each child (1) who is on the roster of a team sponsored by the Club; (2) for whom all required fees have been paid, or current on payment arrangements; and (3) who is not subject to suspension under Section 4 of USSF Bylaw 241, and/or the rules of the Club or any amateur soccer organization in the United States or the State of Ohio shall be Regular Members of the Club and shall be entitled to one vote per family on any matter that comes before the Members for a vote. In the case of a dispute between the parents of a child described above, the custodial parent of the child shall be entitled to cast the family's vote. Absent members may vote by written proxy on a club approved form.
2. **Supporting Members.** Individuals who desire to support the Club through the donation of money, property and/or their time may be considered Supporting Members of the Club. Prospective Supporting Members shall petition the Board in order to be approved and established as a Supporting Member. Upon being approved and established as such, Supporting Members shall be entitled to one vote upon any matter that comes before the Members for a vote. Supporting Membership must be renewed annually in accordance with the guidelines set forth by the club.
3. **Removal of Members.** A Member may be removed for not following the Club's Constitution, Code of Regulations, and Rules as set forth in **Section X – Discipline.**

**Section IV. Board of Directors, Officers and Executive Committee,  
Standing Committees**

**A. Board of Directors**

1. The Board of Directors will consist of two individuals from each team, one of whom shall be the team's manager and the other of whom shall be appointed or elected by the team in the manner determined by the Members associated with that team.
2. No voting member of the club shall receive compensation (other than reimbursement for approved expenses) for services or goods provided to the Club unless specifically approved by the Board of Directors. Any voting member having a financial interest in any contract, or agreement with the club shall abstain from voting on issues related to that contract or agreement with the club

3. The Board of Directors shall be the official ruling body of the Club and shall have full responsibility for control and management of the Club through their activities as a whole and through their Board appointed employees and committees. The Board shall be the policy making body of the Club.

4. In accordance to Section V, Paragraph (6), the Board of Directors may adopt rules and regulations not inconsistent with the Constitution and Code of Regulations; shall create and enforce rules governing the activities of the Club. The Board of Directors has the power to establish dues and fee schedules for its activities, including, but not limited to, the charge for player registration, dues, club affiliation fees, and all other fees to leagues, clubs and players. The Board of Directors has the power to establish and approve the budget and to establish such financial policies that will insure proper management of the finances of the Club.

5. The Board of Directors may form special committees and appoint members to those special committees as necessary for the proper operation of the Club.

**B. Executive Committee**

The Board of Directors may assign management of the Club's day to day affairs to the Executive Committee, which shall carry out the policies of the Board and conduct the affairs of the organization on behalf of the Board. The Executive Committee shall be composed of the following club officers: President, Vice President, Treasurer and Secretary. All decisions made, and actions taken by, the Executive Committee shall be subject to examination of the Board of Directors.

The election of the Executive Committee shall begin with nominations. All nominations shall be made either verbally or in writing by a member on the Board of Directors at the scheduled meeting. Nominations shall be open until the election is held. Nominations of Club Officers shall begin at the next regularly scheduled Board of Directors meeting following the Annual Membership Meeting. Election of Club Officers shall take place at the second regularly scheduled Board of Directors meeting following the Annual Membership Meeting. No election of Club Officers shall be permitted by proxy. Club Officers shall be elected separately by a majority vote of Board of Directors present.

**1. President**

The President of the Club shall be elected by the Board of Directors for a one-year term, and be the chairperson of the Disciplinary Committee. The President will be responsible for setting an agenda and presiding at all meetings of the Board of Directors, the Annual Membership Meeting and other meetings of the Club. The President will have a casting vote in the case of a tie at Board of Directors meetings. The President shall act as the Club's representative or delegate to all associated youth soccer organizations. The President may remain in an advisory capacity to the Board for one year after their term (**see Advisor; Sec. IV C**).

2. **Vice President**

The Vice President of the Club shall be elected by the Board of Directors for a one-year term and shall assume the duties of the President in the event of a vacancy for the remainder of the unexpired term. The Vice President shall be the chairperson for the Special Events Committee. The Vice President shall preside over meetings/events unattended by the President. The Board of Directors may assign specific areas of responsibility to this position from year to year.

3. **Treasurer**

The Treasurer of the Club shall be elected by the Board of Directors for a one-year term, shall be responsible for the financial affairs of the Club and be the chair of the Budget/Finance Committee. The Treasurer shall oversee the recording and reporting of all income, expenses, assets, and liabilities. The Treasurer shall order financial statements and shall be responsible for meeting all statutory financial requirements, including the filing of State and Federal returns. The Treasurer shall preside over meetings/events unattended by the President and Vice-President.

4. **Secretary**

The Secretary of the Club shall be elected by the Board of Directors for a one-year term, and be the chairperson of the Public relations Committee. The Secretary shall maintain records of meetings, maintain all correspondence and shall forward communications as directed by a member of the Executive Committee or as directed by action of the Board of Directors. With the assistance of respective Team Coaches and/or Managers, the Secretary shall also handle all publicity approved by the Board of Directors for the Club. This may also include the publishing of a Club newsletter in accordance to the Club's Constitution. The Secretary shall preside over meetings/events unattended by the President, Vice-President, and Treasurer. The Board of Directors may assign specific areas of responsibility to this position from year to year.

C. **Advisors**

The advisors may consist of the immediate past president, the referee assignor and the field coordinator, and any other position determined necessary by the Board of Directors all of whom need to be voted upon and elected into said positions by the Board Members.

1. **Referee Assignor**

This is an appointed position by the Board of Directors, serving a one-year term. The Referee Assignor is responsible to assign referees to all appropriate matches to be played in the Club and shall submit schedules to the Field Coordinator.

2. **Field Coordinator**

This is an appointed position by the Board of Directors, serving a one-year term. The Field Coordinator is responsible in determining overall field availability as needed for NWOYSL scheduling; coordinates maintenance of fields; and determines if field conditions are suitable for play due to inclement weather.

**D. Team Managers**

Team Managers duties shall include, but not limited to the following: Collection of team's fees; representative to attend meetings; changes in team roster; arranging team photographs; creating phone tree for team; preparation of the snack list. In the event of rescheduled games, Team Managers must notify the referee assignor and field coordinators and members of the Team.

**E. Standing Committees**

The Executive Committee shall appoint a chairperson pending Board approval to the specific Standing Committee. The approved appointment shall be for a one-year term. Standing Committees shall meet as often as necessary to conduct business efficiently, and shall be required to present progress reports at all regularly scheduled Board meetings

All respective Committees and Board approved chairperson(s) shall be included on the Club's contact list available to all Members.

The Club's Standing Committee's shall be as follows:

- 1.) Budget/Finance
- 2.) Disciplinary
- 3.) Public Relations
- 4.) Special Events

**F. Special Committees**

At any time the need for creation of a special committee may be determined by the Board of Directors. If such a determination is made, the Executive Committee shall appoint a chairperson pending Board approval to the specific committee. The approved appointment shall be for a one-year term. Special committees shall meet as often as necessary to conduct business efficiently, and shall be required to present progress reports at all regularly scheduled Board meetings.

## **Section V. Club Meetings**

### **A. Board of Directors Meetings**

1. The Club's regular meetings will be monthly unless otherwise decided by the Executive Committee, but held at least quarterly.
2. Club meetings will be for members and invited guests only.
3. Members are required to sign in and to include documentation of those members not in attendance but voting by proxy.
4. Monthly Club Meetings and Executive Committee Meetings shall be recorded electronically and maintained by the Secretary.
5. Board Meetings shall include the following agenda items:
  - a. Roll call
  - b. Call to Order
  - c. Minutes of the previous meeting
  - d. Treasurer's report
  - e. Committee reports
  - f. Special reports
  - g. Old business
  - h. New business
  - i. General Discussion
  - j. Adjournment
6. Amendment of the Constitution and Code of Regulations may be proposed by the Board of Directors requiring advanced written notice to all Current Directors of the Board. Such proposals require a two-thirds (2/3) majority of the entire Board of Directors to have the proposal brought to an official vote. Such recommend changes must be voted upon by the members of the club at the next meeting (general or annual), and approved by a vote of a three-fourths (3/4) majority of the voting members who are present or represented by proxy.
7. Any member of the Board of Directors who is absent from three consecutive meetings without due cause, may be removed from office by a two-thirds (2/3) majority vote of the Board of Directors. The Executive Committee will appoint an individual to fulfill the unexpired term with Board approval.
8. Minutes of regular Club meetings will be made readily available after Board approval to all Members of the Club. Distribution of said Minutes by means of electronic communication (email, fax, et al) is acceptable.
9. Special meetings of the Board of Directors may be called by the President, or a majority of Board Members, with 5 days notice to all members of the Board. (Notice may be made by means of mail, electronic means, or by phone.)
10. The President reserves the right to direct Board of Director Meetings and table discussions regarding issues not presently on the meeting agenda.

### **B. Membership Meetings**

1. Annual Membership Meeting
  - a.) An annual membership meeting shall be held at least one time per year on a date and time set by the Board of Directors for the purpose of receiving

reports, from all committees, electing Directors and reviewing and approving actions by the Board of Directors for the preceding year.

## 2. Special Membership Meeting

a.) A Special Membership Meeting may be called by the President or a majority of Board Members. A 30 days notice to all Members must be given. Notification can be made by mail, electronic means, or by phone.

## C. Quorum

A quorum needed to conduct business will exist when a simple majority of Board of Directors are present for a Board meeting. For an Annual or Special Membership Meeting, a quorum will exist when any number of Members are present.

## Section VI. Code Of Ethics

The Fremont Emeralds Soccer Club shall follow the standard Code of Ethics as set forth through the league in which teams are rostered. The Code of Ethics shall include but not be limited to the following:

This Club requires each coach, assistant coach, manager, trainer, player, parent, team representative or Board Member to uphold the USYSA Code of Conduct attached herein. A gentlemanly relationship between coaches in any “team-to-team” or “Club-to-Club” player movement is therefore mandatory.

### A. Coaches Code of Ethics

1. I will create a safe, healthy, positive environment for my players and our opponents at all time.
2. I will be a teacher of the game. I will take courses, read and learn, so that I may teach.
3. I will teach my players safe techniques and methods of play.
4. I will conduct practices in the spirit of enjoyment and learning.
5. I will acknowledge that winning, while an important part of any competitive activity, is the result of hard work that my players and I accomplish together.
6. I will teach my players and their families that winning is NEVER more important than good sportsmanship.
7. I will demonstrate good sportsmanship at all times. I will remember that it is easy to be a good sport when winning, but that my team needs my example most when we are losing.
8. I will acknowledge that each player develops at a different pace. I will strive to help each player become better.
9. I will reward effort as well as talent.

10. I will know the laws of the game and their application to the game. I will teach my players the laws.
11. I will respect my players, my opponents, the referees and the game of soccer. I will teach the same to my players.
12. I will continue to learn all that I can, whenever I can, in order to be a better teacher of the game.
13. I will work to develop as high a standard of character in my players and myself, as I work to develop a higher standard of play.
14. I will maintain the highest level of integrity, as I am the role model for young people. I will never cheat.
15. I will remember that the game is more important than any individual or team. I will pass along the game of soccer in better shape than when it came to me.

## **PLAYERS**

Players need to have standards of ethical behavior set forth for them, but they will copy the adults they see more than any set of rules. In addition to the player code of ethics, we will achieve much more by positively affecting the people who are their primary role models (parents), the people responsible for players actions at games (coaches), and the people who provide the fair structure of the game on the field (referees).

Players need to learn from an early age what good sportsmanship is, how to practice it, how to reject poor sportsmanship, and how to take responsibility for their actions. They need to know how to win graciously, and how to accept defeat. They need to learn that winning at the cost of their decency as human beings is never appropriate.

### **B. Player Code of Ethics**

1. Always play the game with the spirit of friendly competition and within the Laws of the Game.
2. Give the same respect to all other participants (players, coaches, referees, parents and spectators) that you expect for yourself.
3. Represent your team, club and league with the best possible example of behavior and character at all times.
4. Be receptive to your coaches and what they have to offer.
5. Help younger or less experienced players to grow in the game.
6. Referees, coaches, and other players will make mistakes. Treat their mistakes like you want your mistakes to be treated.
7. Your parents and other adult volunteers make major sacrifices so that you may play the game. Let them know how much you appreciate their efforts.
8. Treat each game as separate from all others.
9. Learn all you can about the game.
10. Always be on time and properly equipped.
11. Have fun each and every day that you can step onto a soccer field. Play for the love of the game.

12. Win without boasting, lose without excuses and never quit.

### **Parents**

The great majority of parents whose children are involved in soccer behave very well at games. They realize that the principles, which they impart at home, are valid away from home. They also realize that they are their child's primary role models. These parents know how to act in front of young and impressionable children. They also know that their teenagers need a consistent model of good behavior, as well.

Unfortunately, for some, they begin to believe, usually as they see more games and begin to have more knowledge, that they have a role at games. Soccer is a game for kids and in an actual game, parents have no role. Some parents report that they believe that they have a role to "remind" referees of calls, "yell at the referee" to insure that the referee won't make another call against their team, intimidate other team players, and other things. Any activity for parents and spectators, other than occasional positive support for their own team is completely inappropriate.

There is no place in soccer for parents to address any comments to referees or players from other teams. NO PLACE at all. The only comments even remotely allowed are positive comments from parents to their own team. Even then, instructions on how to play are NEVER permitted. "Way to go Johnny, Nice try, Sally, Unlucky, Ronnie", are appropriate comments. Comments such as "Kick it straight next time, stay wide, man on, trip her, go to goal, turn, pass earlier," are never appropriate.

We offer two helpful Codes of Conduct for Parents since having no role except as observers is difficult. The second is by Allen Gray and appeared in the NSCAA Soccer Journal.

#### **C. Parent Code of Conduct**

1. You are your child's Number One role model. Present the best possible example of character and behavior at all times.
2. Allow the coach to coach the team. Be an enthusiastic, positive supporter of the coaches' work during games by your actions and words.
3. Relieve the pressure of competition by helping players to enjoy practices and games. Players feel enough pressure on their own without being added by parents.
4. Help your child by having them at practice and games on time and properly equipped.
5. Treat all participants (players, coaches, referees and spectators) with the same respect that you want for your child. Never yell at nor touch a referee.
6. Learn all that you can about the game. Before trying to interpret the Laws of the Game, be sure that you know the Laws of the Game.
7. Appreciate good play, no matter who makes it.
8. Remember that the game is for the players and no one else. Do all that you can to support them, and make soccer as positive an educational experience as possible for them.

9. Take an active interest in how participation is effecting your child as he/she grows into an adult. Help them know how to win, and how to find positives in a losing game.
10. Support the team, club and league as they strive to give your child a positive environment. Volunteer when you can, and appreciate the volunteers who do give of their time.
11. Meet parents of opposing players that you don't know. It is harder to disrespect someone if you know him or her.

## **Section VII. Definition Of Club Tryouts**

The Fremont Emeralds Soccer Club abides by rules set forth through the league in which individual teams are rostered. These rules and definitions may be found at *nwoysl.org* or may be requested from any director of the board.

A tryout is any act of a coach observing a player in action, formally or informally, or a player participating individually or in the context of a team or group of players which leads to a mutual decision to roster that player to any team. This definition specifically includes, but may not be limited to such acts as: a coach observing the player in a match or practice, or a match with another team; the player participating as a guest player with another team; and the player participating in any indoor activities with a team other than the one to which he is initially rostered during the seasonal year.

### **A. Unrestricted Tryouts**

1. Permitted only from June 1<sup>st</sup> to July 15<sup>th</sup> of each year.
2. May be only used to form teams for play in the next seasonal year.
3. Players currently rostered or unrostered may participate in unrestricted tryouts.
4. Any currently rostered player who is selected for a new team that will play in the next seasonal year may not train nor participate with their new team until all activities of their current team have come to an end for the seasonal year.

### **B. Restricted Tryouts**

Only non-rostered potential players and players who have already been released from the teams to which they were initially rostered may participate in restricted tryouts.

1. Permitted at any time during the year.
2. Any tryout solicitation, advertisement, or invitation must clearly state that only non-rostered players may participate, and/or that the tryouts are for indoor soccer teams only.
3. All players at a restricted tryout must be unrostered, must present a completed player release form or carry written permission from their current coach before they may participate.

4. Participation as a guest player on a team (for instance, in a tournament) and/or playing and practicing with an indoor team shall be considered to be a tryout with that team should the player subsequently attempt to roster with that team during the same seasonal year.

**C. Team / Club Fact Sheet**

Before having a tryout, each team must fill out all information to the best of their ability upon the Team / Club Fact sheet. These forms are to be available to each prospective player (parent) trying out for the team. Each prospective player and their parent must sign the Team / Club Fact log stating they have received the Team / Club Fact sheet. The Team / Club Fact sheet log must be returned into the NWOYSL office with each team's registration material (USYSA forms).

1. No player may sign a team commitment or USYSA form before the following dates: A. Fall – July 1<sup>st</sup> B. Spring – December 1st

**D. Recruiting of Players**

No Coach, Player, Trainer, Manager, Sponsor, Parent nor any other person from a team or club may, either directly or indirectly, ask a currently rostered player to leave their present team in order to join another team. Such activity constitutes the illegal recruitment of players. The OYSAN, NWOYSL, and FESC consider the recruitment of currently rostered players to be illegal in any and all circumstances. Any person(s) found to be illegally recruiting currently rostered players during the same seasonal year may be subjected to disciplinary actions as asserted within the Code of Regulations.

**Section VIII. Registration of Players**

The Club shall follow the guidelines set forth by the NWOYSL , OYSAN , and any league in which teams are registered when it pertains to the registration of players.

- A. All bank charges, fees and/or costs imposed upon and/or collected from FESC associated with NSF checks received in the registration of players and/or the sale of Club merchandise, equipment and/or uniforms, shall be charged and invoiced to the responsible party.
- B. The Club will not allow players to play down in age group except in the matters where two age groups need (not desire) to be combined to form one team due to the lack of players in which case the league will roster the team in accordance with the oldest aged player on the team. Notification must be given to all parents/guardians of rostered players indicating the teams registration status.
- C. The practice of playing up in age division shall be determined upon the player's ability, the coaches recommendation, parental or guardian approval, and the current league regulations.

- E. All payments shall be paid in full or payment plan established prior to players first game of the season.
- F. In addition to league fees, an additional deposit of twenty dollars (player status fee set forth by NWOYSL) shall be required each Fall season. In the event the player remains rostered with the original Club team throughout the seasonal year, the said deposit shall be credited towards the Spring season dues.
- G. Families with three players will be given fifty percent (50%) off the cost of the third member's fees.

### **Section IX. Discipline**

#### A. Grievance

- 1. Upon the occurrence of any unsportsmanlike conduct, violation of any rules and guidelines established by NWOYSL, OYSAN, KidSafe, or other misconduct by a member that negatively reflects upon the reputation of the Club, any person may commence the investigation of a grievance by the filing of a written complaint with any officer of the Club.
- 2. The complaint shall concisely describe the grievance, identify any witnesses to the occurrence, and contain the signature and phone numbers of the complainant(s).
- 3. This section does not govern player misconduct. Club coaches retain broad discretion to address player misconduct. Coaches may choose to consult the Disciplinary Committee for guidance in handling the misconduct of their team's players.

#### B. Discipline Committee

- 1. The Executive Committee shall establish a discipline committee to address all grievances and shall designate members of the Board of Directors to serve on the Committee. The Committee shall be chaired by one of the Club's officers.
- 2. The Committee shall proceed to conduct an investigation of all grievances in a timely fashion

#### C. Investigation

- 1. The Committee shall interview the complainant, the member who is the subject of the grievance, and other witnesses to the occurrence. It shall endeavor to conclude its investigation within 60 days at which time the Committee shall make its recommendation for action in writing to the Board of Directors for approval.
- 2. The Committee may use the resources available to get by the NWOYSL and/or OYSAN in an effort to resolve matters that require assistance and/or guidance.

#### D. Hearing Procedure

- 1. The member who is the subject of the grievance shall be furnished an opportunity to be heard before the Committee concludes its investigation.
- 2. Notice of the date, location and time of the hearing shall be provided members at least 72 hours in advance of the hearing.

#### E. Sanctions

- 1. The Committee may recommend sanctions ranging from a written reprimand, suspension from the Club for a specified period of time, up to expulsion from the

Club. The Board of Directors may take action to reject, approve, or approve with modifications, the recommendations of the Committee. Sanctions short of expulsion will require approval by a (majority/ two-thirds) vote of the Board members present.

2. If expulsion is recommended by the Committee or being considered by the Board, written notice must be given at least 14 days in advance of the Board of Directors meeting to the affected member. A (2/3 3/4) vote of the Board of Directors is needed to remove a Member.

#### F. Removal of Board Members

1. Pursuant to Section V (1)(G), should any member of the Executive Committee be absent from three consecutive meetings without due cause, he/she may be removed from the Board by a 2/3 vote of the Board of Directors present at a meeting. The President will appoint an individual to fulfill the unexpired term with approval of the Board of Directors.
2. If a vacancy occurs in any board member position in which succession is not indicated in the Code of Regulations, prior to the completion of the member's term, the Board of Directors will appoint a person to fill that position until the next Annual Membership Meeting.

#### G. Removal of Officers

1. Officers may be removed from any office for just cause, and/or for failure to attend meetings or perform the duties of the office. The officer has a right to a hearing. The hearing will be by the Board of Directors with the officer who is the subject of the hearing not having a right to vote. The vote to remove must be by a 3/4 majority of the remaining members of the Board.

#### H. Appeals

1. All appeals to rulings made by the Discipline Committee will be heard by the Appeals Committee pursuant to Section V (1)(G)
2. The Appeals Committee's function is to determine if the rules and procedures adopted by the executive board were followed by the Discipline Committee when conducting hearings or making any decisions. There are no other reasons to appeal to the Appeals Committee. The Appeals Committee is not empowered to change nor overrule the findings of the Discipline Committee.
3. An Appeal must be made within five business days of any decisions made by the Discipline Committee. All documentation to support the appeal must be filed at this time. The Board Members reserve the right to administer a reasonable appeal fee.
4. The Appeals Committee can make the following decisions:
  - a. The appeal was not properly made, no appeal to be heard, the appeal fee is to be refunded.
  - b. The appeal is heard, and the Appeals Committee finds that the proper procedures were followed. Then, the appeal is denied; and the application fee is kept.
  - c. The appeal is heard, and the Appeals Committee finds that the proper procedures were not followed by the Discipline Committee. Then, the appeal is upheld; and

the chairperson of the Appeals Committee is to oversee a new Discipline hearing to ensure proper procedures are followed. The appeal fee will be refunded.

## **Section XII. Fundraising/Tournaments**

### **A. Fundraising.**

1. Upon majority vote and approval by the Board of Directors, the Club may develop fundraisers throughout the year designed to benefit the entire organization and/or approve individual Teams that wish to conduct individual fundraisers within accordance to guidelines set forth and Board approval.
2. Club and Team fundraisers shall not conflict with each other.
3. Each organizational and/or Team fundraiser shall have its' monies raised earmarked for a specific cause or purpose as determined and approved beforehand by the Board Members and Treasurer in accordance to its Constitution.
4. The Secretary shall keep record of non-financial matters, to include physical participation of Members within designated Club fundraising activities to ensure proper distribution of monies among respective Teams.

### **H. Tournaments.**

1. The Club may sponsor one tournament (limit \$300), per eligible team per year. These funds are forfeited if not used during rostered calendar year Sept 1 – Aug 31<sup>st</sup>.
2. Pursuant to Section IV (1)(A), the Board may consider a Team eligible for tournament monies based upon the team's active participation within monthly meetings; Club fundraisers; Club extra-curricular activities (i.e. ballboy/girls) or other established criteria.

## **Section XIII. Audit/Financial Reports**

### **A. Independent Audit**

1. Any Club member may submit a written request, bearing the signature of said member, for an independent audit of the financial records of the organization. The request for an audit may specify the name of an accredited accounting firm, which shall perform the audit.
2. Upon receipt of a bona fide request, the Treasurer must provide all financial records, including, but not limited to, ledgers and banking records, within one (1) week of the date of the first Board of Directors meeting, following receipt of the request.
3. An auditor must present the result of the audit at the next general or annual meeting. All financial records provided by the Treasurer, for purposes of completion

of the audit, shall be returned to the Treasurer within one (1) week of the date of receipt of same.

4. All costs and expenses related to the performance of the requested audit will be paid by the requesting party(ies), at the completion of the audit, with the following exception. In the event that it is discovered, upon completion of the audit, that there are, in fact, irregularities in the keeping of the records, or the handling of the funds, the cost of the audit shall be absorbed by the organization. Irregularities shall be defined only by the qualified opinion as to the compliance with Generally Accepted Accounting Principles.

## **B. Financial Reports**

The Treasurer will annually present a financial report to the members. An independent audit, as set forth herein, shall be made of the financial records every year, and shall cover the previous year. The audit shall cover the seasonal year of September 1<sup>st</sup> through August 31<sup>st</sup>.

## **Section XIV. Liability**

The Executive Committee, Board of Directors, General Members, Supporting Members, Advisors, officials and coaches shall not be personally liable for any legal or financial action taken against either the Club, the Board of Directors, nor its Members.

## **Section XV. Amendments**

The Board of Directors may propose amendments to the Code of Regulations. Such proposals require a two-thirds (2/3) majority of the entire board. Such recommendation changes must be voted on by the members at the next meeting (general or annual), and approved by a vote of a 3/4 majority of the voting members who are present in person at a duly called meeting.

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