

# Hangtown Panther Youth Football & Cheer, Inc. El Dorado Jr. Cougars Football & Cheer

## By-Laws

December 30, 1997

Updated March 23, 2009

### Article I - Name

The name of this non-profit organization shall be the Hangtown Panther Youth Football & Cheer, Inc. (HPYFC). The El Dorado Jr. Cougars Football and Cheer (EJCFC) shall be known as a subsidiary of the HPYFC Corporation, and the acronym HPYFC includes EJCFC.

### Article II - Non-Profit Corporate Status

In accordance with Section 501 (c) (3) of the federal Internal Revenue Code, HPYFC shall operate exclusively as a non-profit educational organization. No part of the earnings shall inure to the benefit of any private party or individual, and no substantial part of the activities of the HPYFC shall involve carrying on propaganda, or attempting to influence any political campaign on behalf of any candidate for public office.

### Article III - Mission

The mission of the HPYFC shall be to promote supervised, safe, fun, fair, and competitive participation in the sports of youth tackle football and cheer leading--that is free of overzealous adult ambition--for the targeted youth of our community.

### Article IV - Fiscal Year

The organization's Fiscal Year shall begin January 1<sup>st</sup> and end December 31<sup>st</sup>.

### Article V - Board of Directors and Committee members

The management of property and the conduct of the HPYFC organization shall be vested in the Board of Directors (BOD). The job of the BOD, at minimum, shall be to carry out the mission, assure the continuance of the HPYFC organization, and protect the organization's reputation and effectiveness through the appropriate discipline of members.

The BOD shall consist of a President, Secretary, Treasurer, Vice President of Football, and Vice President of Cheer. No Director shall hold more than one of these positions except in an emergency, and then only until a successor can be appointed.

Committee Members shall be comprised of the Equipment Manager, Facilities Manager, Fundraising Coordinator, Volunteer Coordinator, and Safety Coordinator.

The five (5) Directors and five (5) Committee Members all have voting rights by virtue of their held positions in HPYFC.

The BOD shall be empowered to take all actions necessary and appropriate to conduct the affairs of HPYFC, including the appointment of Directors and Committee members, the raising and expending of funds, the procurement of necessary insurances, the establishment of advisory panels and their chairpersons, and the delegation of such powers as the BOD shall deem advisable.

If an advisory board is established, it shall consist, at a minimum, one Director, one Committee member and one or more Directors, Committee members or Volunteers as deemed necessary.

The BOD may remove a Director or Committee member with or without cause, by a two-thirds vote.

The President shall call regular meetings which shall be held monthly. All Directors and Committee members shall be notified of all HPYFC meetings at least 72 hours prior to being held. Any Director, eligible to vote in HPYFC matters, may call a special meeting as deemed necessary to conduct organizational business, provided that at least 72 hours notice is given to all Directors and Committee members.

A quorum is established when at least 3/5<sup>ths</sup> of the BOD are present at a duly announced meeting.

A Director who has missed the entirety of three consecutive HPYFC meetings shall not vote on any matters until the second of two consecutively attended meetings, but the Directors presence shall count toward the establishment of a quorum.

A Director who has missed the entirety of five consecutive HPYFC meetings shall be presumed to have resigned his seat.

A majority of votes by eligible Directors and Committee members present at any duly announced meeting shall be required for vote passage, unless it is stated in these Bylaws that a 2/3 super-majority vote is required.

New Directors or Committee members, as needed, shall be appointed by a 2/3 majority vote of the BOD. Prospective Directors or Committee members may be nominated by any existing Director, Committee member or by any Coach duly approved under these Bylaws.

Directors shall have an absolute right to inspect and copy any record of HPYFC wherever located at any reasonable time.

Outside the HPYFC meetings, no Director or Committee member shall discuss any personnel matter coming before the HPYFC.

A written record of all Meetings and the minutes, motions and resolutions discussed in those meetings shall be accurately kept by the Secretary and passed down from year to year.

Directors and Committee Members are encouraged to wear approved attire at all games and special team functions involving participants, and are to always serve as appropriate role models for participants.

### **Article VI - Committee Job Descriptions**

All members of the Committee shall conduct their responsibilities in accordance with a written job description extant from these Bylaws, but nonetheless, one approved by the BOD. The BOD shall update these job descriptions periodically, and shall use them to assure quality training of all new Directors or Committee members in their respective duties.

### **Article VII - Bylaws**

The BOD shall have the authority to amend these Bylaws by a 2/3 majority vote, provided that notice of such proposed change is included in the notice of the meeting held for that purpose; subject to revision at any time by the absolute authority vested in the organization's founding members.

A copy of these Bylaws shall be given to each Director, Committee member and duly approved Head Coach, and again upon any BOD authorized change. If able, Bylaws are to be posted on a team sponsored website, and if so, shall serve to meet this requirement.

In these Bylaws, the term "parents" shall include guardians of all legal types, but shall not extend to adults merely accompanying a participant, even if with parental permission.

### **Article VIII - Affiliation**

HPYFC shall annually apply for or renew affiliation with a league organization comprised of other youth football and cheer programs. Currently the HPYFC is affiliated with the Sacramento Youth Football (SYF) organization, hereafter referred to as the "League". Affiliation with another league can only occur upon a 2/3 vote of the BOD.

The HPYFC shall operate its football and cheer programs under the policies and procedures imposed by the League's bylaws and direction. To assure the continuance of a quality working relationship, issues that arise shall be resolved as congenially as possible between the HPYFC and the League.

### **Article IX - Membership**

Before being involved with HPYFC, all adult members shall be required to undergo and pass a DOJ background investigation as directed by the BOD, and required by the League.

Members of the Board of Directors and Committee members: Any interested adult, 18 years or older, of acceptable character and maturity, though preference shall be given to such adults with participating children (past or present).

Coaches: See Article entitled "Coaches" in these Bylaws.

Instructors: Interested (minor) persons selected by Coaches to assist in training and coaching their teams.

Participant: Any interested child of acceptable age and weight, residing within the El Dorado High School District, or in accordance with a waiver or policy issued by the League. HPYFC does not discriminate against persons based upon their race, religion, national origin, age (other than qualifying to participate on a team), or gender.

All required paper work shall be complete before a prospective participant may engage in physical team activity. No participant shall play at practice or in games without wearing and using all assigned protective equipment.

The level at which a participant plays, while to follow League rules, shall be a prerogative of the BOD. Generally, experienced players near the maximum age and weight shall move up to the next level of play. However, the number of participants on each team shall be considered as well. Also, aggressive players with an obvious ability to hurt others shall move up to a team where their skills are competitive.

Volunteers: Any interested person, 16 years or older of acceptable character and maturity, though preference shall be given to such persons with participating family members (past and present).

All Directors, Committee Members, Coaches, Assistant Coaches, Instructors and Volunteers who are on game or practice fields with participants shall wear their identification badges.

### **Article X - Discipline of Members**

Providing discipline to all members, to assure that the organization's mission is carried out, and that its reputation remains positive, is a responsibility of the BOD.

Ejection, Suspension or Termination:

No Coach, Instructor or Participant ejected by an official from a game shall be allowed to play or coach at the next game.

The BOD, by majority vote at a duly constituted meeting, may censure, suspend, or terminate any member for conduct that is deemed by the BOD to be detrimental or damaging to the HPYFC organization, its members, or is in conflict with these Bylaws, BOD policies, playing rules, or other relevant regulations, or is in conflict with the Bylaws, policies, playing rules, or relevant regulations set forth by the League.

In such a case, the affected member shall be notified of such meeting, informed of the nature of the charges, and shall be given an opportunity to appear at the meeting to answer such charges. No person may appear on behalf of the involved individual, except in accompaniment. Participants subject to discipline shall be accompanied by a parent.

An advisory panel duly constituted by the BOD shall have the same powers to censure, suspend, or terminate as the BOD itself. However, in such a case, the affected individual shall have the right to appeal the advisory panel's decision to the BOD. In such a case, overturning or changing the panel's decision shall require a 2/3 majority vote.

If any Director or Committee member has a conflict of interest in a disciplinary action, s/he shall not participate in the discipline process.

All rights and duties of any member in the HPYFC shall cease upon the termination of membership, but termination shall not relieve the member from any financial or property obligation(s) that remain.

**Article XI - Fees**

Participant Members: At the direction of the BOD, a reasonable participation fee shall be assessed to parents for the privilege of their child's participation, and additional fees may be assessed to ensure volunteer obligations are met as well as to ensure equipment is returned appropriately and in proper condition.

At the direction of the BOD, a fee to recover bank charges may be assessed for any check returned for non-sufficient funds.

Refunds: Requests for refunds shall be made to the Treasurer, accompanied by the address and phone number of the requestor. The Treasurer shall receive approval from the BOD, the President, or a duly appointed Committee Member before making any refund.

Non-refundable items shall include--but are not limited to--any fundraising/sponsorship money earned, the cost of any already ordered special uniform items, and any prepaid activities.

Refunds, once approved, shall only be issued after all outstanding property is returned.

No refunds for registration fees shall be made after the Jamboree, or in the case of a late registering participant, after the participant has played in one game.

**Article XII - Play Allotment Rule**

The Play Allotment Rule (PAR) shall apply to football only. It is only a minimum! The intent of the HPYFC is to provide as much playing time as possible for each player while yet allowing the team to remain competitive.

# Players on Team	PAR
20 or less	10
21 to 25	8
Over 26	5

The BOD understands that in a hard fought game, and especially in playoff games, achieving 100% PAR may not be possible while remaining competitive, and in such cases, shall look for a good faith effort, and

across time, an averaging caused by greater than PAR play in easier fought or obviously lost games, to evaluate a Head Coach's compliance with this rule.

To be eligible for PAR, a player shall attend all practices the week previous to the game. If a player misses one practice, PAR shall be reduced 50% for that player. If two practices are missed, that player's PAR shall be reduced 100%. Head Coaches shall have the discretion to not count some or all practices missed for scholastic, medical, or other good cause reasons.

Plays that count for PAR shall include offensive and defensive plays, scrimmage plays, and special team plays such as punts, kick -off, PAT, etc. Dead ball plays and dead ball penalties shall not count as a play.

The Head Coach shall be responsible for meeting the requirements of PAR. Failure to make a good faith effort across time to meet this requirement shall result in the BOD taking disciplinary action.

### **Article XIII - Coaches**

"Coaches" shall mean Head Coaches, Assistant Coaches, and Instructors.

All Coaches, Assistant Coaches and Instructors shall undergo and pass a Background screening as directed by the BOD and required by the League.

Any interested adult of acceptable character and maturity may serve as a coach, though preference shall be given to such adults with participating children (past or present). Consideration shall first be afforded past coaching staff, then parents and guardians of participant members, and last, to other interested persons. Consideration, however, shall also be given to the prospective Coach's qualifications.

A Coaching Advisory Panel shall be established for football and cheer to review all potential coaches and oversee the coaching approval process. The Football Coaching Advisory Group shall be empanelled by the VP of Football, the President and one or more other persons. The Cheer Coaching Advisory Panel shall be empanelled by the VP of Cheer and one or more other persons. The respective Coaching Advisory Panel will present its recommendations to the HPYFC and then shall be approved by a 2/3 majority vote. Head Coaches shall serve at the pleasure of the HPYFC.

The Head Coaches, with the approval of the respective VP, may appoint Assistant Coaches and Instructors. Assistant Coaches and instructors shall serve at the pleasure of the HPYFC, the respective VP, and the sponsoring Head Coach.

Directors or Committee members requesting to coach shall only have the authority to coach in an Assistant Coach capacity. If a Director or Committee member is holding an Assistant Coaching position, he/she is required to attend the scheduled HPYFC meetings.

Directors or Committee members requesting to coach shall follow the coaching application procedures, abide by the Coaches Code of Conduct and be approved through the respective Coaching Advisory Panel.

All Coaches shall conduct themselves in a manner that is above reproach and follow the policies and procedures established by the HPYFC and its League, including conduct in accordance with the HPYFC approved "Coaches Code of Conduct," which shall be signed by all Coaches previous to their assuming their coaching duties.

Head Coaches shall be responsible for their own actions as well as the actions of their Assistant Coaches and Instructors, and for the actions of the participants on their team. However, any discipline provided by the Head Coach may be appealed to the full BOD, but in such case, a 2/3 majority vote is required to over-rule the Head Coach.

If a Director or Committee member has been approved to coach and is suspected of violating the Coaches Code of Conduct, he/she shall be temporarily suspended from the coaching position as well as the Director or Committee position pending investigation by the BOD. The BOD shall take no more five (5) days to make a determination. If after the investigation it has been determined that a violation has been committed, the BOD shall have the authority to take disciplinary action up to the permanent removal of the person from his/her coaching position and Director or Committee membership.

Head Coaches shall be responsible for all HPYFC equipment used by their teams.

Coaches shall be responsible for carrying out the items stated in the Article entitled "Safety" found in these Bylaws

Coaches shall wear approved coach's attire at games and significant team events (like banquets) and are encouraged to wear it at all practices.

Coaches and instructors shall require participants to show good sportsmanship at all times. No coach or instructor shall encourage or allow a participant to purposefully injure an opposing player.

All coaches that have obviously won or lost a competitive event shall maximize the remaining time to play and strengthen weaker players, rather than use the time as an opportunity to practice stronger players.

Under no circumstances shall a HPYFC coach seek to run up a score. Other teams are not our enemies, merely our opponents, and their players need to have the morale to return to the field another day.

#### **Article XIV - Uniforms**

Game Day Football Uniform: Official HPYFC uniforms shall maintain the theme of the El Dorado High School Cougars football team. Helmets are to have a Cougar Paw on each side. Players may wear warm and/or additional protective equipment under their uniform, but shall not change its outward appearance.

Practice Football Uniform: Official HPYFC football uniforms shall consist of the following: Helmet as above, pants and jerseys assigned by the Equipment Manager. Players may wear warm and/or additional protective equipment under their uniform.

Any alteration to official football game or practice uniforms, and assigned HPYFC equipment, shall be approved by the VP of Football, subject to the oversight of the BOD.

Cheer uniforms: Official HPYFC Cheer uniforms shall maintain the theme of the El Dorado High School Cougars cheer team.

Any alteration to official cheer uniforms shall be approved by the VP of Cheer, subject to the oversight of the BOD.

#### **Article XV - Financial and Accounting**

The BOD shall decide all matters pertaining to the finances of HPYFC, and shall place all income earned in the name of the HPYFC only into a BOD approved bank account(s), and shall permit expenditures from the bank account(s) only in accordance with these Bylaws and BOD direction.

No member of HPYFC shall receive, directly or indirectly, any salary or compensation from HPYFC for services rendered, except that authorized expenses may be reimbursed at the discretion of the BOD, or duly appointed advisory group (if any).

All expenditures shall be in the form of a check, signed by two of three authorized signers: President, Treasurer or Fundraising Coordinator. Any check in which a signer has an interest, shall be signed by the

two non-interested signers. All checks written shall have the carbon and the attached expenditure's receipt transferred to the Treasurer as soon practical for book-keeping purposes.

All team member registration monies collected shall be acknowledged by the Treasurer and verified by at least one other BOD. Once verified the funds will be deposited into the HPYFC bank account and a receipt of those funds kept for accounting purposes.

The Fundraising Coordinator is to be responsible for the funds raised at any official fund-raising activity or event. All monies received by the Fundraising Coordinator shall be counted and then turned over to the Treasurer. The Treasurer shall verify the count and shall issue a Treasurer's receipt for the funds received. Once verified the funds will be deposited into the HPYFC bank account and a receipt of those funds kept for accounting purposes.

No funds shall be expended from fundraised income previous to it being deposited by the Treasurer, with the exception of cash payments to the field referees. No funds are to be expended or encumbered without the approval of the BOD or a duly appointed advisory panel.

The Treasurer shall keep the books accurately using a BOD authorized accounting software, and shall provide the HPYFC frequent reports of the finances, in enough detail as to effect an audit trail of income and expenditures. Income and expenditures for both cheer and football shall be separately identifiable in the reports.

Previous to each football season, the BOD shall develop and approve a budget. After approval of the budget, all unbudgeted expenditures shall be approved by the BOD and Committee Members, or a duly appointed advisory group. No member of the organization shall have the authority to expend unbudgeted funds without BOD approval.

The BOD may budget a "contingency fund" for either or both cheer and football, accessible by the respective VPs. If so, expenditures from this fund shall be receipted and reported to the BOD at the next regular meeting and also shall follow these Bylaws and BOD direction. The Committee shall also have the authority to approve such a fund for the President's use, subject to the same requirements.

In the event of the dissolution of HPYFC, and after all outstanding debts and claims have been satisfied, the residual funds and equipment shall be distributed as directed by the majority of interested Founding Trustees of the Hangtown Panthers Youth Football and Cheer organization.

### **Article XVI - Fundraising**

"Off the books" fundraising by football or cheer for any purpose shall be previously approved by the BOD. Unapproved fundraising cannot be associated with or identifiable in any manner with the HPYFC organization.

No third parties may operate concessions at home games without BOD approval, and then only with evidence of necessary insurances and any required health certifications.

### **Article XVII - Insurance**

The BOD shall see that adequate amounts of necessary insurances are purchased annually for the protection of the organization (Liability) and the members of the BOD (Directors and Committee Members). Parents shall be notified at sign-ups that they are responsible for any emergency medical care that may become necessary for their children. Parents shall be required to sign a waiver for each player before participation is allowed, and that waiver shall make clear that they alone are responsible for medical care in the case of injury, and shall give information as to the dangers inherent in play.

### **Article XVIII - Safety**

All Directors, Committee members and Coaches shall work to insure that the HPYFC operates as safely as possible. To this end:

HPYFC shall operate in compliance with all insurance policy limitations.

All Directors, Committee members, Coaches, Assistant Coaches, Instructors and Volunteers are to adopt a personal "no lone rule" when with a participant, so that there is always another participant or adult present, and thus someone able to mitigate any opportunistic reports of abuse.

Protective equipment worn by participants shall be adequate (based upon industry standards,) well fitted, and in good repair.

Effective participant warm-ups and conditioning, to reduce injuries, shall be major concerns of coaches.

Coaches shall ensure that participants remain well hydrated at practices and games.

Football players shall be taught safe tackling techniques as described in the saying "head up, home run; head down, hospital."

Emergency vehicle access to all camps, practices, scrimmages, games, and cheer events shall be assured at all times.

Head coaches and at least one assistant coach from each team shall hold current First Aid and CPR cards from a reputable provider.

Well stocked first aid kits, participant health information, emergency medical releases, and a functioning telephone shall be available to each team at all camps, practices, scrimmages, game, and cheer events.

At least one coach, designated by the Head Coach, shall not leave a team event until all participants are in the custody of their parents.

No participant shall be released by a coach or Committee member to a 3<sup>rd</sup> party, except upon the instructions of the parents.

No injured child without a parent in attendance shall ever to be released to a 3<sup>rd</sup> party (besides the Emergency Medical System) for transport to medical care. Rather, the participant shall be accompanied at all times by a coach, Assistant Coach, Director or Committee member until released directly to, or upon the instruction of, the parents.

### **Article XIX - Academic All Star Achievement Award**

The scholastic excellence of participants shall be encouraged during the playing season. All participants shall be notified of the AAAA by their head coaches at the beginning of the season, and repeatedly encouraged to achieve it throughout the season. At the season's end, all participants submitting a recent Report Card or Progress Report, attested to by their parent's, shall receive from the Treasury \$5 if all marks are `C' grades or better; \$15 if all marks are `B' grades or better, and \$25 for straight A's.

### **Article XX - Complaints to the BOD**

Complaints made to the BOD by anyone on any subject involving the organization, shall be made in writing, preferably on a HPYFC authorized complaint form.

The Director, Committee member or Coach who receives the complaint shall provide it to the President at the earliest convenience, and the matter shall be reviewed at the next meeting.

### **Article XXI - Founding Trustees**

The founding trustees of the Hangtown Panther Youth Football-Cheer are; John M. Edwards, Dennis Parrish, Matt Cathey, Maria Momsen, Carol Edwards, and Dennise Parrish.

There shall be a maximum of six (6) founding trustees. Trustees positions can only be vacated by voluntary resignation or death.

Vacancies in the Founding Trustees shall be filled by appointment. Trustees shall be appointed by their fellow trustees on the basis of extraordinary service and commitment to youth football and/or cheer and to the policies and procedures of the Hangtown Panther Youth Football and Cheer.

The founding trustees reserve the power of assumable control and intervention over the Hangtown Panther Youth Football and Cheer (HPYFC) and its subsidiaries. The founding Trustees may exercise the power of assumable control and/or intervention concerning policies, procedures, objectives or by-laws set forth and established by the Founding Trustees in the Articles of Incorporation.

The Founding Trustees assumable control includes but is not limited to termination of any or all positions of the officers and or committee members and appointment of a person (s) to assume the duties of office or committee position for the remainder of the term of office (s) upon ratification of a 2/3 majority of the founding trustees. Consideration of recommendations from remaining officers or committee members will be seriously considered and likely implemented. Assumable control will usually only take place if the officers and/or committee members refuse to follow the original objectives and by-laws set fourth in the Articles of Incorporation.

The Founding Trustees intervention includes intervening in BOD meetings and should only take place in the event members of HPYFC are compromising the original objectives and by-laws set forth in the Articles of Incorporation.

All actions by the Founding Trustees require 2/3 majority vote by the founding trustees which shall constitute a quorum at any regular or special meetings of the founding trustees.