

## **EL Dorado Jr. Cougars Bylaws**

### **El Dorado Junior Cougar By-Laws 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 (EDJC) shall be known as a subsidiary of the HPYFC Corporation, and the acronym HPYFC includes EDJC and herein after will be known as EDJC. The term Player will encompass both football player and cheerleader.

### **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 any private party or individual, and no substantial part of the activities of the EDJC 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 EDJC shall be to promote a supervised, fun and educational atmosphere in the sports of youth tackle football and cheerleading. EDJC working with El Dorado High School Football and Cheer shall safely provide the youth of our community skills that will better prepare them not just in sports, but how to face the challenges of becoming young adults. Through the teachings of sportsmanship, integrity and competition, they will not only grow as players, but active community members as well.

### **Article IV – Fiscal Year**

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

### **Article V – Board of Directors and Committee Members.**

The management of property and the conduct of the EDJC 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 EDJC organization, and protect the organization's reputation. The BOD shall be solely responsible for all personnel and disciplinary matters including the retaining and dismissal of personnel. 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, Fundraising Coordinator, Volunteer Coordinator, Safety Coordinator, Merchandise Coordinator and Snack Bar Coordinator.

The Board of Directors and Committee Members shall be known collectively as Voting Members. All have voting rights by virtue of their held positions in EDJC organization. The BOD shall be empowered to take all actions necessary and appropriate to conduct the affairs of EDJC, including the appointment of Directors and Committee Members, oversight for the raising and approval for the 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 panel is established, it shall consist, at a minimum of one Director, one committee member and one or more additional Directors or Committee Members 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 EDJC meetings which shall be held monthly. All Directors and Committee Members shall be notified of all EDJC meetings at least 72 hours previous to it being held. Any Director, eligible to vote in HPYFC matters, may call a special meeting as deemed necessary to conduct organizational business, if at least 72 hours' notice is given to all

Directors and/or Committee Members.

Electronic voting shall be accepted for matters not involving personnel, discipline or complaints and if a delay in a decision would be detrimental to the organization if left for the next official Board Meeting. All Voting Members must partake in an electronic vote to validate the request. A quorum is established when at least 3/5 of the BOD or a majority of the Voting Members is present at a duly announced EDJC meeting.

A Director or Committee Member 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 or Committee Member who has missed the entirety of five consecutive HPYFC meetings shall be presumed to have resigned his seat. A majority of votes by eligible Voting 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 nominated by a sitting Board member and appointed by a 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 EDJC wherever located at any reasonable time. Outside the EDJC meetings, no Director or Committee Member shall discuss any personnel matter coming before the EDJC. Violation may result in removal from position.

A written record of all EDJC 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. All EDJC games and practices will be alcohol free.

#### **Article VI – Directors and Committee Member Job Descriptions**

All members of the EDJC Board of Directors or Committee Members 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 EDJC members in their respective duties.

#### **Article VII – Bylaws**

The BOD shall have the authority to amend these Bylaws by a majority vote, provided that notice of such proposed change is included in the notice of the meeting held for that purpose. Bylaws are 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: League and High School**

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

The EDJC shall operate its football and cheer programs under the policies and procedures imposed by the League's bylaws and direction. EDJC shall work harmoniously with the El Dorado High School Football program to ensure the vision of the High School Program is met providing a fluid and successful transition for the players from the youth program to the High School. Direction from the High School Football Program will be implemented regarding the schemes of the high school offence and defense including all vernacular. The Varsity Head Coach shall be a member of the EDJC Board as a consultant. The El Dorado High School representative may be used to consult with the Board on personnel or player matters but will refrain from direct discussion with families of, or players themselves and will not be directly involved in any discipline.

#### **Article IX – Membership**

Before being involved with EDJC, all Voting Members and all adult members having direct interaction with players during the course of practice or play, shall be required to undergo a SYF background investigation and Livescan required by the League to be paid for or reimbursed by EDJC.

#### 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 persons selected by Coaches to assist in training and coaching their teams.

#### Participant

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

All required medical clearance 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 appropriate for that day's level of training. 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 can move up to the next level of play taking into consideration the numbers of players on the affected teams. Players with

a stronger or advanced skill set may be moved up to a team where their skills are more competitive. The coaches and the BOD will discuss and make any final decisions, regardless of parent request to change their child's level of play.

#### 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 or 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 at all times.

#### **Article X – Discipline of Members**

The BOD shall have sole responsibility for implementation of any and all discipline to members of the EDJC. Any concern about another member of the EDJC shall be presented on a "Complaint against a Volunteer" form. The form is to be filled out with details of the incident and provided to the President, VP of Football or VP of Cheer.

#### Ejection, Suspension or Termination

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 EDJC 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. If any Director has a conflict of interest in a disciplinary action, s/he shall recuse themselves from that specific -discipline process.

All rights and duties of any member in the EDJC shall cease upon the termination of membership, but termination shall not relieve the member from any financial or property obligation(s) remain nor shall it affect the eligibility of the youth of the terminated member to play unless specified in said incident. 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.

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 in writing to the Voting Members for review at the next monthly meeting accompanied by the address and phone number of the requestor. A written response, with or without refund, shall be provided to the requestor within 1 week of the meeting to which it is discussed.

Non-refundable items shall include, but are not limited to any fundraising/sponsorship money earned, 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 – Coaches**

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

All Coaches, Assistant Coaches and Instructors shall undergo a (Sacramento Youth Football) SYF background investigation and Livescan as required by the League.

All head coaches, assistant coaches, and instructors are required to have a current copy of the Heads Up Certificate on file with the El Dorado Jr Cougars Secretary and another copy with SFY prior to the start of the official season in compliance with CA AB2127.

All head, coaches, assistant coaches and instructors are required to have a signed SYF and EDJC Code of Conduct, SYF Release of Liability on file prior to the start of the official season. Coaches may not interact with other SYF athletes prior to SYF certification.

All Coaches shall conduct themselves in a manner that is above reproach and follow the policies and procedures established by the EDJC and its League, including the EDJC Coaches Code of Conduct and in accordance with the SYF Code of Conduct, which shall be signed by all Coaches previous to their assuming their Coaching duties. Violations of any EDJC policies or principles as outlined in the Bylaws, or undertaking any activity that is deemed by the Board not to be in the best interest of our junior athletes or the organization programs; coach will be subject to suspension and removal by the EDJC Board. The Board of Directors reserves the right to request the surrender of SYF badge and removal of a coach from their position at any time if deemed appropriate for the severity of the offense.

Disciplinary process as follows:

- First offense – verbal warning
- Second offense – 5 day suspension
- Third offense – SYF badge surrender and removal from coach position and the EDJC program.

### **Coaches Conduct**

Any coach ejected from a game will not be allowed to coach the next scheduled game played. Any coach ejected from two games will be suspended for the remainder of the season. Any coach ejected from a game or suspended for the season will not be allowed to coach an All-Star team. Coaches will not hold any individual practice or film sessions outside of approved practices and facilities, unless specifically approved by the VP of Football, VP of Cheer, or the President of EDJC.

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

Head Coaches shall be responsible for all EDJC equipment used by their teams. Coaches shall wear approved Coach's attire at games and EDJC sponsored events (like banquets) and encouraged to wear it at all practices. SYF issued badges shall be worn, and are mandatory at all practices or events where direct contact with the players in the capacity of their position as a coach.

All coaches must attend at least one open house or another promotional event. First time coaches may attend with a returning coach, EDJC Director or Committee Member.

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 an EDJC Coach seek to run up a score.

PAR Requirement:

30 or more players ..... 5 plays

29 or less players ..... 7 plays

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

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

### Eligibility

Individuals who wish to coach an El Dorado Jr Cougar team must first apply with the official EDJC coaches' application.

Any interested adult of acceptable character and maturity may apply as a Coach.

Anyone may apply for a coaching position within the EDJC Football and Cheer program prior to the start of the season. All persons desiring to coach in the EDJC program are required and must have a signed copy of SYF Code of Conduct on file prior to SYF Certification. All coaches and Instructors must attend and have a Head's Up Certificate for the SYF coach's clinic to receive their SYF certification badge.

All coach positions are considered open as of January 1st. Anyone who wants to be considered must apply for that position as a new applicant.

### Coach Selection

The number of coaches selected shall be based on the number of registrants per team. Each U8, U10 and U12 will have a Head Coach and up to 4 assistant coaches, unless the team warrants more coaching support.

Head coaches returning to the same age division will have first consideration followed by a returning head coach from a different age division. A returning assistant coach from a different age division will be third for consideration followed by a new coach. Preference shall be given to such adults with participating children (past or present). Coaches will be selected based on positive attitude, communication skills, leadership qualities, technical knowledge, who are in good standing, and in support of EDJC objectives. Consideration shall first be afforded to 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. The applicant for Head Coach shall be interviewed by a panel of no less than 3 Executive Board Members, High School Athletic Director, and representatives from the High School Football Program. The interview panel will vote collectively on the best candidate for the Head Coach Position. Executive Directors on the panel will present their selection to the Board of Directors. If the interview panel reaches a tie, the Executive Directors will bring the candidate selections to the Board of Directors for a final vote. Assignment of Head Coaches will be a recommendation by the interview panel and approved by the Board of Directors. Selection criteria will be based on overall support of the organization, leadership of his/her team and staff, interaction with the player's parents, technical competence, proven past performance, and dedication to the programs core values and its goals.

### U14 Midget Level Head Coach

The position of Head Coach at the U14 Midget level will be exempt from all previous considerations in regards to history with the organization. The sole purpose of the U14 Midget Coach is to prepare the players for the difficult and physically challenging transition to the High school level. The ability to work in tandem with the high school, including alteration of the playbook and previous high school level coaching experience will take precedence over all other qualifications. The Varsity Head Coach shall be a majority say of the final selection of the U14 Midget Head Coach.

The head coaches, with the approval of the BOD, shall appoint assistant coaches and instructors. The BOD has the right to appoint an assistant coach to a team that would benefit from that coach's qualifications, character, and organization support. Assistant coaches and instructors shall be approved by a majority vote of the Board Directors and shall serve at the pleasure of the EDJC. A coach may appeal a selection decision through proper process before the Board of Directors.

### **Article XIII – Uniforms**

#### Game Day Football Uniform

Official EDJC uniforms shall maintain the theme of the El Dorado High School Cougars football team. Players will wear helmet, shoulder pads, girdle, game pants, game jersey, mouthpiece, game socks and appropriate football footwear. Players may wear warm and/or additional protective equipment under their uniform. Additional clothing shall not change their uniforms outward appearance. Any additional safety equipment shall be League approved.

#### Practice Football Uniform

Official EDJC football uniforms shall consist of the following: helmet as above, pants and practice jersey. Players may wear warm and/or additional protective equipment under their uniform. Any alteration to official football game or practice uniforms, and assigned EDJC equipment, shall be approved by the VP of Football, subject to the oversight of the BOD.

#### Cheer uniforms

Official EDJC 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 XIV – Financial Accounting**

The BOD shall decide all matters pertaining to the finances of EDJC, and shall place all income earned in the name of the EDJC 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 EDJC shall receive, directly or indirectly, any salary or compensation from EDJC or services rendered, except that authorized expenses may be reimbursed at the discretion of the BOD, or duly appointed Advisory Panel (if any) and only with appropriate receipts.

All expenditures shall be in the form of a check, signed by two authorized signers: President, VP of Football, VP of Cheer and Treasurer. Any football related expenses shall have 1 signature from the VP of Football and any cheer related expenses shall have 1 signature from the VP of Cheer. This will provide distinction between the cheer and football for bookkeeping ease. The President shall sign only as a last resort or in the absence of either VP. No two signatures shall be of the same family or relation. All checks written shall have the carbon and the attached expenditure's receipt transferred to the Treasurer as soon possible for bookkeeping purposes.

All team member registration monies shall be collected by at least 2 members of the Executive Board and verified by at least one other BOD or Committee Member. Once verified, the funds will be deposited into the EDJC bank account and a correlating receipt of those funds kept for accounting purposes.

No funds shall be expended from 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 and/or Voting Members.

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

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 Voting Members or a duly appointed Advisory Panel. No member of the organization shall have the authority to expend unbudgeted funds without Voting Member approval. Those expending without permission may be subject to discipline up to and including criminal prosecution.

The Voting Members 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 meeting immediately following the purchases and also shall follow these Bylaws and BOD direction. The Voting Members 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 EDJC 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 XV – Fundraising**

"Off the books" fund raising by football or cheer for any purpose shall be previously approved by the BOD. Unapproved fund raising cannot be associated with or identifiable in any manner with EDJC. A formatted letter, on EDJC letter head and Tax ID, shall be provided to all donors upon receipt of their donation. 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 XVI – Insurance**

The SOC shall see that adequate amounts of necessary insurances are purchased annually for the protection of the organization (Liability) and the members of the EDJC (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 be provided with information as to the dangers inherent to the sport of youth football and cheerleading. Each child shall have on file a completed Emergency Medical card including contacts and private insurance information.

#### **Article XVII – Safety**

All Directors, Committee Members and Coaches shall work to insure that EDJC operates as safely as possible.



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. Each player shall have their own supply of water for all practices. Water will be provided for the players at all games.

Prior to any physical contact, 10 hours of practice must be allocated for conditioning. This shall also be applied to a late registrant and they will not be allowed to participate in full contact exercises and drills until this requirement has been met.

Football players shall be taught safe and mechanically correct techniques of tackle football in tackling techniques. Emergency vehicle access to all camps, practices, scrimmages, games, and cheer events shall be assured at all times.

A coach, including assistant and instructors 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 football and cheer team during all camps, practices, scrimmages and games.

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, Assistant Coach, Director or Committee Member to a 3<sup>rd</sup> party, except upon the instructions of the parents. Failure to do so may result in disciplinary action up to and including removal from the organization.

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.

**Concussion Rule** – Any Player / Cheerleader showing any signs of being concussed will be immediately deemed ineligible for play / practice, until medically cleared to participate, in writing, by an appropriate health care provider. A copy of said clearance must be sent to the commissioner's office and viewed, prior to the participant being cleared to participate. No participant may return to play without the express consent of the commissioner's office. Failure to comply with this rule will result in the immediate decertification of member status with SYF.

#### **Article XVIII – Complaints to the BOD**

Complaints made to the BOD by anyone on any subject involving the organization, shall be made in writing, on an EDJC authorized "Complaint Against Volunteer" form. The Director, Committee Member or Coach who receives the complaint shall provide it to the President at the earliest convenience. Upon receiving the form, all parties named in the incident shall cease any conversation and the event will shall be reviewed at the next Board meeting or time appropriate for the nature of complaint. Upon resolution, all parties involved shall be made aware of the BOD decision, preferably face to face.

**Article XIV – Founding Trustees**

The founding trustees of the Hangtown Panther Youth Football-Cheer are John M. Edwards, Dennis Parrish, Denise Parrish, Matt Cathey, Maria Momsen and Carol Edwards. At least one of the founding members shall be forwarded monthly meeting agendas so they may be kept current on the state of the organization.

There shall be a maximum of six (6) founding trustees. 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 forth in the Articles of Incorporation.

The Founding Trustees intervention includes intervening in BOD meetings and should only take place in the event members of EDJC 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.