

BY - LAWS

Berlin Youth Football and Cheerleading Inc.

(Revised 2010)

ARTICLE I NAME AND LOCATION

The organization shall be a Wisconsin nonprofit Corporation named Berlin Youth Football and Cheerleading Inc. (hereinafter referred to as BYFCI or Organization). The principal office of the organization shall be located at the home of the President, but meetings of members and directors may be held at such places as designated by the Board of Directors.

The BYFCI is part of the Mid-State Youth Football and Cheerleading Conference (hereinafter referred to as MSYFCC).

The website for the Organization is: www.berlinbulldogs.org

ARTICLE II OBJECTIVE

This corporation is organized for charitable and educational purposes as defined in Internal Revenue Code, Sect. 501(c)(3). The objective of the BYFCI shall be to provide a football and cheerleading program for the youth of Berlin and the surrounding communities.

The objectives will be achieved by providing supervised competitive football games under the rules and regulations of MSYFCC. The emphasis is on academics, participation, sportsmanship, and the physical and mental development of each participant. Winning games shall not be the primary focus.

ARTICLE III GOVERNMENT

Composition

The affairs and property of this Organization shall be managed and governed by a Board of Directors composed of seven (7) Directors (President, Vice-President, Treasurer, Secretary, Football Coordinator, Cheerleading Coordinator, and Academic Director).

Election and Term

Election of the Directors shall occur as follows:

<u>EVEN YEARS</u>	<u>ODD YEARS</u>
President	Vice-President
Secretary	Treasurer
Football Coordinator	Cheerleading Coordinator
Academic Director	

SPECIAL NOTE: Years are calculated by the year that the upcoming season is played in.

The term of office shall be two years, commencing on the day after elected at the annual Awards Ceremony and continuing through the next two Awards Ceremonies.

Removal

Any member of the Board of Directors shall be removed from office with cause by a majority vote of a legal quorum of the Board of Directors.

Valid “cause” to remove a Board member can be, but not limited to, any of the following:

1. Failure to execute any assigned duties and/or responsibilities.
2. Verifiable violation of any By-Laws herein, Declarations, or Articles.
3. Unexcused absence from six Board meetings within a calendar year will automatically deem the position held to be vacant.

Appointments

In the event of death, resignation or removal from the Board of Directors, the President shall nominate a replacement, with the exception of the President position, which shall be filled by the Vice President. This nomination shall be voted on by the Board of Directors at the next regularly scheduled meeting. The newly appointed member shall serve for the unexpired term of office.

Compensation

No member of the Board of Directors shall receive compensation for any service rendered to the Organization. However, any Director or Committee member may be reimbursed for documented actual expenses incurred in the performance of official assigned duties. Any expenses over \$100 need be pre-approved by the Treasurer.

Action Taken Without a Meeting

The Board of Directors shall have the right to take any action, in the absence of a meeting, which they could take at a meeting by obtaining the written approval (email approval is acceptable) of a quorum of the Directors as long as an attempt was made to contact all Directors. Any action so approved shall have the same effect as though taken at a meeting of the Board of Directors.

ARTICLE IV NOMINATION AND ELECTION OF THE BOARD OF DIRECTORS

Schedule and Eligibility

The Board of Directors will post open Board and Committee positions on the website. Nominations will take place at the Annual meeting of the organization (Awards Ceremony). An individual nominated must provide a written or verbal statement of acceptance citing the office to which the individual is accepting nomination. Individuals may fill only one (1) Board position at a time. Individuals need not be members to be nominated for, or occupy, a Board or Committee position.

Election

Election will take place at the Annual meeting of the organization (Awards Ceremony) and shall be a voice vote unless deemed too close to call in which then a ballot vote will be taken.

A ballot vote will consist of one (1) vote per family, no matter how many participants of that family are involved.

ARTICLE V BOARD OF DIRECTOR'S MEETINGS

Monthly Board Meetings

The Board of Directors shall meet monthly (day to be decided upon by the reigning Board of Directors) to act on the established agenda scheduled for the meeting and any unscheduled issues of an urgent nature.

Robert's Rules of Order shall govern the proceeding of all meetings, except where some conflicts with the By-Laws of the Organization occur.

Attendance at meetings by all Board members and at least one representative of each committee is strongly suggested for the well being of the Organization.

Meeting Place

The meetings shall take place at a location designated by the Board of Directors.

Agenda

The agenda for each meeting will be developed by the President. It will consist of reports from each Board and Committee member, as well as any specific matters requested by any organization member to the President.

The Agenda shall be posted to the Website and/or emailed to members one week before the scheduled meeting if possible.

Notice of Meetings

A schedule of all meetings will be posted on website.

Quorum

A majority of the Members of the Board of Directors shall constitute a quorum for the transaction of business. In a Board composed of seven members, a minimum of four members must be present to enact official organization business.

Voting

Each Board member present at official meetings must cast a vote on each motion up for approval, with the exception of a member claiming a "conflict of interest". The President may direct the Secretary to call the roll in any sequence, permitting the President to vote last to break possible ties.

ARTICLE VI MEETING OF MEMBERS**Annual Meetings**

The Annual Meeting of the members is held at the Awards Ceremony which will be scheduled each year by the Board of Directors.

Special Meetings

Special meetings of the organization may be called by the President or the Board of Directors at any time.

Notice of Meetings

Written notice of each meeting of the members involving a vote shall be given by the Secretary of such notice, postage prepaid, emailed, or hand delivered thirty (30) days before such meeting to each member entitled to vote thereat, addressed to the member's mailing or email address last appearing on the books of the organization.

Organization Quorum

At any meeting of the members where voting takes place a quorum will be the members of the organization that are present.

ARTICLE VII BOARD OF DIRECTORS DUTIES

President

The president has overall responsibility of the organization; to organize, develop agenda, preside over the regular meetings with the Board of Directors and the Committee members, and see that orders and resolutions of the Board are carried out. Responsible for making sure background checks are performed on all volunteers and that these are reviewed according to MSYFCC rules. Responsible for confirming bank balances monthly and auditing all financial transactions annually.

Vice-President

The vice-president shall act in the place and stead of the president in the event of absence, inability or refusal to act, and discharge such other duties as determined by the Board. Attend monthly MSYFCC meetings and report Conference actions at monthly Board meetings. Assume responsibility as the Board liaison for all committees.

Secretary

Collect, organize, and file all participant forms, create binder for each team with appropriate information, create and submit formal rosters to the Conference, create mailing list, coordinate all mailings to participants and members. Record meeting minutes at monthly Board meetings, present minutes for approval, and general recordkeeping of actions taken and policies of the Organization.

Treasurer

The Treasurer shall receive and deposit in appropriate bank accounts all monies of the Organization and shall disburse such funds as directed by resolution of the Board of Directors. Sign all checks and promissory notes of the Organization. Keep proper books of account. Coordinate a change tray for concessions.

Cause an annual audit of the Organization books to be made at the completion of each fiscal year. Prepare an annual budget and a statement of income and expenditures to be presented to the Board of Directors, and make available a copy to the members. File appropriate forms with the government.

Football Coordinator

Coordinate all activities related to the football operations; secure all coaches, communicate to coaches all pertinent information including schedules, rules, etc.

Cheerleading Coordinator

Coordinate all activities related to the cheerleading operations; secure all coaches, communicate to coaches all pertinent information including schedules, rules, etc.

Academic Director

Collect and review all participant's previous year report cards to determine eligibility, forward past year report cards to MSYFCC President for submission to the Academic Awards, communicate importance of scholastics to participants at the first day of practice, collect and rank first report cards of current year for scholastic awards and present these awards at the Awards Ceremony.

ARTICLE VIII COMMITTEES

The Board of Directors shall, at their earliest convenience after being elected, appoint qualified members to the following committees. It is recommended that these committees are to be represented at all Board meetings but have no voting rights.

Fundraising

Coordinate all fundraising activities; decide on the types of fundraisers, solicit volunteers to help, collect all funds and transfer them to the Treasurer, develop and submit a report of income vs. expenses for the fundraising projects.

Game Day

Coordinate all activities dealing with the game day; schedule the field for all home games, schedule referees, announcers, scoreboard personnel and EMTs, set the field up and take the field down on game day, clean and restock the restroom facilities after the games.

Football Equipment

Coordinate all activities dealing with equipping the football players; inventorying all equipment, fitting and recording each player's equipment during signups, obtaining any new equipment needed each year, distributing the equipment at the beginning of each year, exchanging equipment throughout the year as needed, collecting the equipment at the end of the year and inspecting, washing, and repairing as necessary.

Cheerleading Equipment

Coordinate all activities dealing with equipping the cheerleaders; inventorying all equipment, fitting and recording each cheerleader's equipment during signups, obtaining any new equipment needed each year, distributing the equipment at the beginning of each year, exchanging equipment throughout the year as needed, collecting the equipment at the end of the year and inspecting, washing, and repairing as necessary.

Concessions

Coordinate all activities dealing with the concessions at home games; set the menu and prices, shop for the necessary food and supplies, secure a place to store the supplies, obtain volunteers to staff the concession stand, cook all food, set up and take down the concession stand on game days

Public Relations

Coordinate all activities dealing with public relations relative to the organization; develop and distribute posters and registration information, write and submit all articles for the newspaper, coordinate the website and get all submissions posted, communicate to the membership all signups, parent's meeting, and awards ceremony.

Scholarship

The Scholarship Committee is responsible for everything associated with the organization's scholarship: Alerting the eligible participants, reviewing submissions, recommending recipients to the board, & awarding the scholarships after the Board of Directors have decided by majority vote.

Medical Coordinator

The Medical Coordinator is responsible for planning, purchasing, building, and inventorying the first aid kits that each football and cheerleading team keeps with them at practices and games.

Berlin High School Football Liaison

The Berlin High School football program will designate a liaison between the High School and the Youth program to ensure good communication and synergies between both groups.

New Committees

The Board of Directors shall appoint other committees as deemed appropriate in carrying out its purposes.

ARTICLE IX MEMBERSHIP

Definition of a Member

A member is a family that has at least one child registered in the football and/or cheerleading program through Berlin Youth Football and Cheerleading Inc.

Registration

Participant registration will be held in accordance with the schedule and rules set forth by the MSYFCC, normally in the spring previous to the season. Participants are required to attend registration so proper fitting of equipment can be performed.

Fees

Each participant is required to pay an annual fee that is set forth by the Board of Directors. This fee will cover the Organization's expenses incurred fulfilling their objective.

ARTICLE X COACHES

Head Coaches

Head Coaches are responsible for all operations of their respective teams ensuring that the objective of the organization is being met. They must follow all rules set forth by the MSYFCC and make sure that all players and coaches under their control do the same.

Anyone wanting to fill the position of Head Coach needs to make his or her intentions known to their respective Football or Cheerleading Coordinator. The Board of Directors, through recommendations of the respective coordinators, will decide as to who the Head Coaches are.

Each Head Coach may choose up to three (3) Assistant Coaches prior to the season. The remaining coaches, if needed, will be added after the teams have been chosen.

Assistant Coaches

Assistant Coaches will help their Head Coaches achieve the team's mission and perform other duties as determined by the Head Coach.

ARTICLE XI PARTICIPANTS

Teams

Teams will be organized according to the rules set forth by the MSYFCC. If more than one team is necessary the teams shall be chosen by the Head Coaches with supervision of the respective coordinator. This process shall be cordial and with the BYFCI's objective in mind. The players will not be present during this process and the outcome will be to create the desired number of teams as fairly and as closely competitive as possible.

Participation

Football participants must have 3 days of practice without pads (helmet is permitted) before they can make physical contact with another player. Additionally, they must have a minimum of 3 days of practice with full pads and only contact with their team before they can have contact with another team.

Cheerleading participants must have 3 days of practice with conditioning before they can practice stunting and tumbling. Additionally, they must have a minimum of 3 days of practice with stunting and tumbling before they can participate at an event.

All participants must be involved in at least one practice the week prior to an event or they may not participate in that event, unless a written excuse is approved by the Head Coach prior to the absence.

No participant may participate in any practice session or event with players from another division of play.

Procedure for Handling Players from Other School Districts

Players from other school districts must be from districts other than the districts involved in our conference. If a player or players from a conference school wants to play for us we need to have the conference board approval.

- If there are six players or less from the same school district on the same level:
 - Keep them all on the same team
- If there are more than six from the same school, but less than a whole team on the same level:
 - All players will be entered into the draft like all other players

- If there are enough players from the same school to have a full team on the same level:
 - All players will be on the same team as long as there are enough coaches to effectively manage the team

Academic Requirements

Athletes are required to turn in their report card from the end of the previous year of school before the season starts. This is to include ALL subjects.

Each athlete must have a grade average of 78% or above (see Grading Scale / Conversion Chart following for how to calculate grade average), with no F's for eligibility. Athletes with F's may still participate with the following restrictions:

- One F: athlete may not participate in the first game
- Two F's: athlete may not participate in the first and second game
- Any more than two F's: athlete will not be eligible to play in any games
- Pre-season scrimmages will NOT count as a game to sit out for

Athletes with IEP Plans, special education or any other type of educational assistance, must abide by the above guidelines as well.

Academic waivers can be granted – an appeal needs to be made in person to the Berlin Youth Football & Cheerleading Board.

The Academic Director is responsible for calculating grade average.

Summer school cannot be used as a substitute for poor grades.

Grading Scale / Conversion Chart

6 Point	
6	100%
5	62%
4	84%
3	76%
2	72%
1	69%

2 Point	
Pass	100%
Fail	69%

5 Point	
A	100%
B	89%
C	82%
D	74%
F	69%

7 Point	
E+	100%
E+	95%
E-	89%
S+	85%
S+	80%
S-	75%
U	69%

3 Point		
S	✓ +	100%
N	✓	84%
U	✓ -	69%

9 Point	
E+	100%
E+	96%
E-	92%
S+	88%
S+	84%
S-	80%
U+	76%
U+	72%
U-	69%

4 Point		
Excellent	O	100%
Above Level	S	85%
At Level	N	77%
Below Level	U	69%

12 Point	
A	100%
A-	93%
B+	91%
B+	89%
B-	86%
C+	84%
C+	82%
C-	78%
D+	76%
D+	74%
D-	72%
F	69%

13 Point		
A+	O+	100%
A	O+	100%
A-	O-	93%
B+	G+	91%
B+	G+	89%
B-	G-	86%
C+	S+	84%
C+	S+	82%
C-	S-	78%
D+	N+	76%
D+	N+	74%
D-	N-	72%
F	U	69%

10 Point	
E+	100%
E+	96%
E-	93%
S+	89%
S+	86%
S-	82%
N+	79%
N+	75%
N-	72%
U	69%

ARTICLE XII MANDATORY BACKGROUND CHECKS

All Coaches, Board of Directors, and any other persons or volunteer workers who have repetitive access to or contact with players and/or cheerleaders, must complete and submit an official “Mid-State Youth Football and Cheerleading Conference Volunteer Application” to the Berlin Youth Football and Cheerleading Inc. Board of Directors. Annual background checks must be completed prior to the applicant assuming his/her duties for the current season.

The Volunteer Application must include signed permission from the applicant allowing the Organization to perform the necessary background check. All

volunteer applications must be maintained by the Organization for a minimum of one year.

This background check screening includes a check of the records for the state of Wisconsin, while also performs a national database or a Federal background check search. If the Organization becomes aware of information, by any means whatsoever, that an individual, including, but not limited to, volunteers, players and hired workers, has been convicted of or pled guilty to any crime involving or against a minor, the Organization must immediately contact the applicable government agency to confirm the accuracy of the information.

Upon confirmation of a conviction for, or guilty plea to, a crime against or involving a minor, the Organization must prohibit the individual from participating in any manner.

In addition, other charges and convictions may be an indication of an unfit volunteer, and therefore this Organization may prohibit any individual from participating as a volunteer if the Organization deems the individual unfit to work with minors.

ARTICLE XIII FINANCIAL POLICY

The Board of Directors shall decide all matters pertaining to the finances of the organization.

All income shall be placed in a common treasury.

An annual audit of the Organization books is to be made at the completion of each fiscal year.

Expenses incurred by officers will be brought before the Board and approved by majority vote.

Refund Policy

If a participant has paid their registration fee and has decided to no longer participate the refund amount will depend on the timing of the decision: This timing is based on when the parent notifies the organization in writing (or email) that their child will no longer participate.

Before Uniform Has Been Ordered – If the participant has decided to no longer participate and the football jersey or cheerleading shirt has not been ordered then a full refund of the entire registration fee will be refunded.

After Uniform Has Been Ordered but Before Practice Has Started – If the participant has decided to no longer participate and the football jersey or cheerleading shirt has been ordered but our program has not yet begun practicing then half of the registration fee will be refunded.

This is because the cost of the jersey has been incurred and the participant has been slated for a team so we have also paid for the player's insurance.

After Practice Has Started – If the participant has decided to no longer participate but our program has begun practicing then none of the registration fee will be refunded.

This is because much time and resources have been invested in the participant.

NOTE: The impact of the participant's involvement in the fundraiser to relieve registration must be taken into account when deciding on the actual refund amount.

ARTICLE XIV SCHOLARSHIP

Since part of this Organization's emphasis is on academics at least one scholarship will be awarded each year to a former participant that is furthering their education after High School. The number of scholarships and the amount of such scholarships shall be determined at a meeting of the Board of Director with a quorum present.

Scholarships shall be based on academic standing, community involvement, need, and the desire by the student to continue his or hers education.

A check shall be issued to the student(s), upon receipt of confirmation of tuition payment. All scholarships must be utilized within one (1) year of presentation.

ARTICLE XV DISSOLUTION

In the event of dissolution of the BYFCI all equipment owned shall be sold or distributed with approval of the Board of Directors. An agent will be designated to manage the remaining funds left in the account for the purposes of continuing the scholarship.

ARTICLE XVI AMENDMENTS

These by-laws may be amended after proposed changes have been reviewed by the Board of Directors for any conflict with our objective and these By-Laws. Any conflicts found must be addressed and resolved before enacting proposed amendment. Approval requires an affirmative vote by a majority of a legal quorum of the Board of Directors.

These by-laws shall be reviewed every five (5) years by a committee set forth by the President.

ARTICLE XVII MISCELLANEOUS

Fiscal Year

The fiscal year of the Organization shall begin on the first day of January and end the last day of December of every year.

Contracts

The Board of Directors may authorize any officer or officers to enter into any contract on behalf of the organization; such authority must be in writing.

Indemnification

The directors shall be indemnified by the organization against liabilities imposed upon them and expenses reasonably incurred by them in connection with any claim against them, or any action, suit or proceeding to which they may be party by reason of being a director. No Director is indemnified (a) with respect to matters for which they be adjudged in such action, suit or proceeding to be liable for negligence or misconduct in performance of duty, (b) with respect to any matters which shall be settled by the payment of sums which independent council, selected by the Board, shall not deem reasonable payment made primarily with a view to avoiding expense of litigation, or (c) with respect to matters for which such indemnification would be against public policy.

Insurance

Medical and Liability insurance will be provided to each participant and volunteer through the MSYFCC. The cost for this is included in the membership fee.

Limitation on Scope of Liability

No Director shall be liable to the Organization for monetary damages for an act or omission in the Director's capacity as a Director of the Organization, except for the following:

- a. A breach of the Director's duty of loyalty to the organization:
- b. An act or omission not in good faith by the Director or an act or omission that involves intentional misconduct or knowing violation of the law by the Director;
- c. A transaction for which the Director gains any improper benefit whether or not such benefit resulted from an action taken within the scope of the Directors office; or
- d. An act or omission by the Director for which liability is expressly provided by statute.

ARTICLE XVIII APPROVAL

These by-laws were approved by the Board of Directors on the 23rd day of April, 2008.

They were amended and approved by the Board of Directors on the 27th day of January, 2010.

They were amended and approved by the Board of Directors on the 28th day of July, 2010.