

BYLAWS
Berthoud Fast-Pitch Softball Association
Berthoud, Colorado

ARTICLE 1 – NAME

This organization shall be known as **BERTHOUD FAST-PITCH SOFTBALL ASSOCIATION** (here after referred to as **BFPSA** or **the Association**). This shall be the governing body of the teams known as **The Berthoud Blaze**.

ARTICLE 2 – OBJECTIVES

- a. The purpose of BFP SA is to strive to provide an opportunity for girls to participate in competitive fast-pitch softball. Participants will be given the opportunity to learn more advanced skills, sportsmanship, teamwork and dedication. BFP SA also supports community recreation and athletic programs.
- b. The organization is organized exclusively for charitable, religious, educational, and/or scientific purposes under section 501(c)(3) of the Internal Revenue Code.

ARTICLE 3 – MEMBERSHIP

The membership of the BFP SA will be comprised of parents/guardians of participants of the Berthoud Blaze and interested community members. Membership shall begin with the General Membership meeting.

ARTICLE 4 – GOVERNMENT

- a. The BFP SA shall be under the supervision of the Board of Directors.
- b. The Board of Directors shall be elected from the general membership at the General Membership meeting. A member of the Board of Directors will serve for a two (2) year term and may be re-elected.
- c. The Board of Directors shall be composed of five (5) elected officers, one (1) representative from each team. The membership shall elect a President, Vice-President, Vice-President of Fundraising (includes tournament director role), Secretary and a Treasurer, who shall be known as the Executive Board. This election will be held at the first

General Membership Meeting. These officers shall hold office for two (2) years and may be eligible for re-election.

- d. Each team must appoint a representative to the Board of Directors prior to the first Board meeting. This representative will be a voting member and shall serve for one (1) year. This representative must be made known to the Board by the head coach of the team by the next general meeting after their appointment of team representative. This representative can not be a member of the Executive Board. Team coaches do not have voting privileges unless they are a member of the Executive Board.
- e. All matters of policy concerning the BFPSA shall be decided by a vote and carried by a majority of the Board of Directors present. The President does not cast a vote except in the case of a tiebreaker. Voting rights are effective immediately after Board approval, or coach's notification of the team representative. A Board member who has not attended two consecutive regularly scheduled meetings without notification to the Board President or Secretary will not be eligible to vote on motions made by the Board for the current meeting. The Secretary will notify the Board of Directors at the beginning of the each meeting of any ineligible members. After the ineligible member has attended one monthly meeting voting privileges will be reinstated.
- f. If the President leaves office, the Vice-President shall assume the duties of the President; if the Vice-President, Vice President of Fundraising, the Secretary or Treasurer leave office, a new person shall be elected to the vacated office from the remaining board members. Any of these new appointments will fulfill the original Board members term. If this change leaves a vacancy of representation for any team, a new team representative must be appointed to the board. If a team representative does not fill the vacated position, a general election will be held in an attempt to fill the position.
- g. Subject to the approval of the Board, the President shall appoint the chairmen of the various committees. The President shall serve as an ex-officio member of all standing committees.
- h. The current President will appoint a nominating committee to seek individuals interested in filling future Executive Board positions. This committee will be appointed in August and will consist of the upcoming year's coaches. The committee will report their findings at the General Membership meeting and will conduct the nomination procedures.

ARTICLE 5 – MEETINGS

- a. The General Membership meeting will be held the last Monday in September each year. Every member of the organization should be in attendance at this meeting.
- b. Board Meetings will be scheduled for the last Monday of each month with the exception of December, and May, or falling on a holiday. Meetings of the Board of Directors are always open to the general membership and public. Meetings may be held during these months at the discretion of the Board. A meeting of the Board of Directors shall be conducted after the conclusion of the tournament season, and prior to the September General Membership meeting for the purpose of finalizing reports and books for the season.
- c. Additional meetings shall be set by the Board as needed. Special meetings maybe called as needed by the President or any three (3) members of the Board of Directors. No meeting (Board or General Membership) is to be conducted without a member of the Executive Board in attendance. No special meeting is to be conducted without at least 48 hour notice to all Board Members.
- d. A majority of the members of the Board of Directors shall constitute a quorum at a meeting, and a majority vote of those present shall govern except for removal of Board members. Removal of Board members will require a two-thirds vote by the remaining Board members.
- e. Robert's Rules of Order shall govern the proceedings of all meetings.

ARTICLE 6 – COACHES AND MANAGERS

- a. New head coaches shall be selected and/or approved by the Board of Directors through a written application process. Written application will be provided by the Board of Directors and must be submitted by applicant ten days to the regular scheduled meeting to one of the members of the Executive Board. Applicants will be subjected to a background check and background procedure. Following approval of the background check, applicants will attend the following regularly scheduled Board Meeting for interview, selection, and approval by the Board.
- b. Coaches will submit their selection of Assistant Coaches and Managers to the Board for final approval to be approved at the July Board meeting. Assistant Coaches will follow the same application

process required of head coaches. Returning head coaches must also be reviewed and re-approved by the Board of Directors each year.

- c. Coaches will provide the Board with a projected budget by the September Board Meeting. Coaches appointed after the August Board meeting will submit a projected budget at the first board meeting following their appointment.
- d. Coaches will be responsible for keeping team equipment inventory records. He/she will be given an inventory form for the appropriate age level upon approval by the Vice President. It will be the coach's responsibility to update throughout the season and submit a final inventory form to the Vice President at the August meeting of the following years. Coaches shall note any needs for replacement and any repairs needed. Coaches are to report inventoried equipment that is lost or stolen immediately to the Vice President. The team will then be responsible to replace the lost or stolen equipment. All receipts for equipment purchases must be itemized and added to the inventory form. The Vice President will review inventory forms quarterly.
- e. The Vice President of the organization will keep an official inventory of any equipment owned and maintained directly and indirectly (team equipment) by the Association. All team equipment will be stored and maintained by the current coach of the respective team. Retiring coaches will return all equipment to the Vice President no later than the August Board meeting.
- f. All coaches must wear like uniforms identifying Berthoud Blaze. Uniforms must adhere to rules set forth by the sanctioning for each tournament.

ARTICLE 7 – PARTICIPATION

- a. Any girl meeting the requirements as to age shall be eligible for participation regardless of race, creed, color or religion.
- b. Selection will be subject to skill and position availability.
- c. The Board of Directors shall have the authority to address any misconduct by a member of the organization (i.e. Player, coach, manager, Board Member, etc.) whose actions are considered detrimental to the best interest of the BFPSA. Members of the Board of Directors upon evidence of any form of misconduct of any member of the organization shall notify the President of the Board of Directors within twenty-four (24) hours of the alleged incident. The President will

attempt to contact the Board of Directors within three (3) days of the incident. At the discretion of the Executive Board, the charges shall be made in writing and a copy thereof delivered to the party in question along with a mandate to attend the next Board meeting. All parties shall have the opportunity to present evidence and/or make statements in conformance with due process. Upon consideration of all evidence, the Board of Directors shall either dismiss the allegations or take appropriate disciplinary action as outlined in "The Code of Conduct of the BFPSA".

- d. The Association shall have the power to require any participant or potential participant to present such medical evidence as the Association may require of fitness of participation, and to prohibit participation in the absence of satisfactory evidence.

ARTICLE 8 – FINANCES

- a. The Association will cover expenditures for the BFPSA only and charge back the cost to each team. The individual teams will be accountable for collection of their own fees and distribution of payments. All checking accounts for each team must include the Treasurer and President of the Association as a valid signer.
- b. Contributions and sponsorships collected by teams shall go into the individual team accounts and records maintained therein.
- c. Each player shall have an account within the team bookkeeping to reflect payments made for team fees, and credits for fundraising activities. Team coach and/or treasurer will be responsible for providing account information to parents/player bi-monthly. Any residual funds left in a player's individual account may be used as follows:
 - 1) Reimbursement for expenses incurred while traveling with the team to out-of-town tournaments (i.e. lodging, food and gas).
 - 2) Reimbursement for softball equipment purchased.
 - 3) Reimbursement for specialty camps or clinics directly related to the sport of softball.

Any residual funds remaining after one year (September to September) of non-participation will become property of the BFPSA.

- d. All expenditures of the main account for the Association shall be approved by the Board of Directors.

- e. The account for the Association shall include President, Vice-President or Treasurer as valid signers.
- f. No part of the net earnings of the organization shall inure to the benefit of, or be distributable to its members, trustees, officers, or other private person, except that the organization shall be authorized and empowered to pay reasonable compensation for services rendered and to make payments and distribution in furtherance of the purposes set forth in the purpose clause hereof. No substantial part of the activities of the organization shall be the carrying on of propaganda, or otherwise attempting to influence legislation, and the organization shall not participate in, or intervene in (including the publishing or distribution of statement) any political campaign on behalf of any candidate for public office. Notwithstanding any other provision of this document, the organization exempt from federal income tax under Section 501(c)(3) of the Internal Revenue Code, or corresponding section of any future federal tax code, or (b) by an organization, contributions to which are deductible under Section 170(c)(2) of the Internal Revenue Code, or corresponding section of any future federal tax code.
- g. Upon dissolution of the organization, assets shall be distributed for one or more exempt purposes within the meaning of Section 501(c)(3) of the Internal Revenue Code, or corresponding section of any future federal tax code, or shall be distributed to the federal government, or to a state or local government, for public purpose.
- h. Each team shall submit a quarterly financial status to the Board of Directors. Such reports shall identify income and expenditures for the quarter and to-date. Each team shall be required to turn over all financial data to the Treasurer for the Association by August 31st each year for final year-end review.
- i. The Board of Directors shall appoint an accountant/bookkeeper whose purpose shall be to review in detail the financial records of the organization for the fiscal year. They will also be responsible for completing and filing non-profit taxes yearly.
- j. No team shall have the power to borrow money or to incur debt for which the creditor will have recourse to any other team or BFP SA. Any debt incurred by the BFP SA must be approved by the Board of Directors.
- k. All players' fees are non-refundable. All player fees will be paid prior to the beginning of the tournament season, unless arrangements are made in advance of this deadline. Request for extension of payment

may be made to the Board of Directors in writing prior to the April meeting. If the extension is granted the player will be required to meet the terms of the extension in order to remain eligible for tournament play. Any player, who has not met these requirements, will not be eligible to play until her financial status is corrected.

- l. The BFPSA will not participate in any fundraising program where there is any direct benefit to the member who raises the funds. For example: we will adopt no system where a parent receives a point or other credit for the fundraising participation that can then be used to offset a team member's expense.
- m. It is the policy of the BFPSA to notify contributors that all donations are tax deductible.

ARTICLE 9 – DEFINITIONS

- a. **MEMBER** – The members of the Association shall consist of the Players, Coaches, Managers, Directors, Officers, Committee Members, Parents or Guardians of the Players, Sponsors, and other persons actively involved in the Association during the previous playing session.
- b. **BOARD MEMBER** – A team representative who has been assigned to serve on the Board of Directors for a one year period.
- c. **EXECUTIVE BOARD MEMBER** – one of the five persons to the Board of Directors to serve the office of President, Vice-President, Vice-President of Fundraising, Secretary or Treasurer.
- d. **PLAYER** – Any girl who qualifies by age, has paid her fees for the current competitive softball season, and returned signed authorization and agreements.

ARTICLE 10 – BY-LAWS AMENDMENTS

- a. The By-Laws and any section thereof may be amended or repealed by a TWO-THIRDS (2/3) vote of the Board of Directors at any stipulated meetings provided written notice of such proposed change or changes over the signature of the President shall be mailed to each member of the Board of Directors of the BFPSA at least TEN (10) days prior to the meeting at which the proposed change or changes shall be submitted. Written notification of any by-law changes shall be mailed to all members, the Internal Revenue Service, Denver, Colorado and to the Secretary of State, 127 State Capitol, Denver, Colorado.

