

Phoenix Warriors Fastpitch Softball Association

Constitution and By-Laws

Article I

Name and Principle office

- A) The name of this organization shall be the “Phoenix Warriors Fastpitch Softball” here in after referred to as “Association.”
- B) The Phoenix Warriors Fastpitch Softball Association is a non-profit organization in South Central PA and will abide by the non-profit rules set forth by the Pennsylvania-Not-for-Profit-Law, together with the power to solicit and receive grants, requests and contributions for the Associations purposes.
- C) All assets, property and equipment shall belong to the Phoenix Warriors Fastpitch Softball Association and shall not be used for the personal benefit of any member.

Article II

Mission

Phoenix Warriors Fastpitch Softball develops good sportsmanship, sound development of softball fundamentals within the community to ensure that girl’s participation in the program will have a positive and rewarding experience that will maximize personal growth and foster team success.

Article III

Objectives and Philosophy

- A) To organize girls fast pitch softball teams representing the South Central PA area in tournament play for all age groups.
- B) The objective of the Phoenix Warriors shall be to introduce, establish, teach, promote youth softball to girls and to encourage the individual participant’s confidence, self-worth; leading to an active, constructive lifestyle.
- C) These objectives will be achieved by providing participants with supervised practices, competitive softball games, clinics for instructional and coaching purposes and tournament play.
- D) Coaches will help develop players in skills of the game of softball with a strong emphasis on sportsmanship. A positive learning experience must be obtained win or lose through the competitive spirit of a team. The exhibition of good character and good sportsmanship shall be reflected by the examples and proper behavior of the coaches.

- E) The association is organized as a 501(c)3 exclusively for charitable and education purposes in order to instruct children and youth to play softball and provide athletic environment of the children and youth.

Article IV

Membership and Team Selection

- A) This is a volunteer organization; as such—no Elected Board Member, General Board Member, Managers, Coaches, or Assistant coaches or committee chair persons shall not be paid for his or her coaching and or training services for the association.
- B) Any individual who supports the objectives of this association may become a member, subject only to compliance with the provisions of the by-laws. Membership in this association will be available without regard to race, religion, color, sex, age, marital status, national origin or handicap.
- C) Players are selected for Phoenix Warriors teams, through try-outs held in the August for the next season's team, dates and place of tryouts are picked by the executive board and are publicized through newspaper and social media.
- D) Players who are selected for a place on the Phoenix Warriors teams and their parents then become members of the association when the participation fees are paid.
- E) Player registration will be managed per team and each team may set annual player registration fees differently based off individual team expenses. Each team will manage their individual team budget and provide full transparency to player families that are members on the team.
- F) Financial hardship cases will be considered and grants may be awarded at the team level.

Article V

Governance

Executive Board, Committees, General Board

- A) The Executive Board shall consist of:

President

- President has the authority to rule on issues not specifically addressed in the current by laws and rules
- Prepares the monthly meeting agenda & presides at all meetings of the Phoenix Fastpitch Organization
- Appoint committees & positions as needed (ex. By laws)
- Serve as head of the entire Phoenix Fastpitch Organization
- Enforces rules and by law policies
- Oversee player registration (annually)
- Manage back ground checks for all managers and board members
- Coordinates ~~orientation picnic, and other events~~ organizational functions.

Vice President

- Assists the Phoenix President and assumes the duties of the President in the President's absence
- Assist in tryouts and player registration
- Coordinate a review and audit of the financials

Secretary

- Take minutes, notes and attendance at meetings
- Distribute minutes and notes to executive board meeting
- Assist in player tryouts and registration
- Assist Treasurer in duties – shared duties will be agreed upon (thank you cards/notes, sponsor receipts)
- Assist in coordinating ~~orientation picnic~~ organizational functions
- Maintains all organizational background checks

Treasurer(s)

- Review and audit team registries monthly
- Assist in player registration
- Assist in tax exempt processes
- Prepare financial statements as requested
- Assist team managers in paying team bills

1. The Executive Board will execute all business decisions of the organization. Examples of business decisions would be insurance purchases, banking relationships, contract negotiations, budgets, hiring of accountants, attorneys, consultants, etc. Each member of the Executive Board has one vote.
 2. The Executive Board will review all clearances and determine what is acceptable and unacceptable.
- B) The General Board will consist of the Executive Board and a manager from each team. The manager may appoint a team representative for the team's proxy vote. Each member of the General Board has one vote provided they have attended 75% of the meetings in the season. Furthermore anyone who attends nine of the last twelve regular board meetings will obtain one vote.

Article VI

Elections

- A) Elections for president and secretary are held on odd years, vice president and treasurer are held on even years. Terms for office are two years beginning at the September board meeting. Executive board members will be elected by a majority vote of the board of directors. If the office of any director becomes vacant, the remaining directors, by a majority vote, shall elect a successor to fill the elected position for the remaining of the term.

Article VII

Meetings

- A) First annual season meeting will be held in September of the calendar year – this meeting will be for the election of board member officers. Regular meetings of the association shall be held there after every month until the end of August. These meetings will be used to discuss the ongoing activities of the association. Any member of the association can request to have a relevant topic placed of the agenda in advance of a scheduled meeting. Topics should be presented to the Secretary or President at least seven days in advance of the meeting.
- B) All meeting will be held the second Wednesday of each month, and are open to the public.
- C) Meeting shall not go longer than 2 hours unless otherwise approved.
- D) Special meetings may be called as deemed necessary by any member of the Executive Board.
- E) All meetings of the Phoenix Warriors shall be conducted according to the Roberts Rules of Order, Revised, in so far as they do not conflict with the Phoenix Warriors By-Laws.
- F) The final meeting of the season will be held following the summer tournament season in August. The purpose of this meeting will be to discuss the past season, identify improvements needed for the upcoming year.
- G) A quorum is 50% +1 of eligible voting members.

Article VIII

Coach, Player, Parent Conduct

- A) Membership in Phoenix Warrior Fastpitch Softball Association is a privilege, not a right.
- B) Any member may resign from the Organization by notifying their coach and submitting a letter in writing to the Secretary.
- C) No board member, player, coach, parent or guest of Phoenix will participate in any activity while under the influence of intoxicating beverages or illegal drugs.
- D) No member will remove or cause to be removed any property belonging to Phoenix without the written permission of the person directly responsible for said property.
- E) Members will always conduct themselves in a manner which portrays a positive image.

- F) No member will destroy or deface any property of Phoenix or property under control of Phoenix.
- G) No member will use any type of tobacco product or tobacco replacement product at any Phoenix event in proximity to players, coaches, parents, or guests. This includes cigarettes, vape pens, cigars, pipes, smokeless tobacco etc.
- H) All members will be covered by accident insurance as secondary or co-insurance.
- I) All members must practice, play, travel and always conduct themselves in a safe manner. Should an accident occur it must be reported to the Head coach immediately. The head coach must notify the Executive Board of the incident and any required treatment or suspension of activity.
- J) Members will follow the Electronic and Social Media Guidelines.
- K) Phoenix Warriors will be compliant with state child abuse laws which were enacted in 2015. **HB 1276 is Act 15 of 2015** clarifies requirements for volunteers to have criminal background checks and child abuse clearances. Phoenix requires:
- Managers, coaches, and volunteers who are required to obtain the certifications are those who have direct volunteer contact, meaning they have care, supervision guidance or control AND routine interaction with children.
 - New and existing volunteers are required to have child abuse clearances and background checks.
 - These certifications will need to be renewed every five years if obtained after July 15 2015.
 - Volunteers will be able to obtain their background checks and child abuse clearances for free as of July 15, 2015.
 - Any Manager, Coach, or Volunteer not having a background check and Child Abuse Clearance is in violation of the law and cannot have any contact with children.
 - All clearances will be on file with the secretary.
 - All volunteers must abide by the three person rule.
 - It is every member's duty to protect the children.
1. Manager: Is responsible for all coaches responsibilities, additional responsibilities include:
- a. When the team is selected the manager will promptly notify each player on the team.
 - b. Make sure teams clearances are turned in and on file with the secretary one month after deemed part of the team's staff.

- c. Responsible to set practice, scrimmages and tournaments as required to ensure a successful season
 - d. Should attend the monthly meetings of the organization or designate a representative to attend the meeting
 - e. Communicate all team events to the parents and players that the team and association is offering.
 - f. Are required to do online concussion training and receive certification. Copy of certifications will be kept on file with the secretary. Managers are required to follow these guidelines if a player is suspected of a concussion.
2. Coach: The coach's first responsibility is to the players.
- a. Support all players with the fundamentals of fast pitch softball and assist in the development of their fullest potential.
 - b. Must act responsibly and carry on the traditions of good sportsmanship
 - c. Coaches shall exhibit good sportsmanship. Coaches who exhibit unsportsmanlike conduct toward umpires, coaches, players or other parents will be subjected to board disciplinary action.
3. Staff: Anyone within the teams dugout or falls within the supervision, care or control guidelines.
- a. Responsible for turning in all clearances.
4. Parents: Parent shall exhibit good sportsmanship. People who exhibit unsportsmanlike conduct toward umpires, coaches, players or other parents will be required to stay away from team functions.
5. Guest Players: Players may guest play for the Phoenix Warriors at the Head Coach/ Managers discretion. Guest players must give the coach a copy of birth certificate for proof of age, and provide proof of medical insurance. The player and player's parents must sign a waiver of liability. Any player within the Phoenix Warriors organization that guest plays for another organization must first get approval from their Head Coach/ Manager.
6. If for some reason you leave the organization, any refund becomes discretion of the team manager.

Article IX

Electronic and Social Media Guidelines

A. Definitions:

1. Social media is the term used to define websites, mobile applications (apps), internet-based tools and interactive communication technologies that allow users to interact with one another to share photos, text, data, information, opinions, knowledge, interest, and insight. Social media encompasses a wide range of platforms, including, but not limited to, blogs, Vblogs, wikis, video and photo sharing websites, social and professional

networking sites, website commenting sections, message boards, and content sharing sites. Some of the more commonly used sources of social media are Facebook, Twitter, LinkedIn, Tumblr, and MySpace. The absence of reference to a specific site or device does not limit the intent of this guideline to outline appropriate and inappropriate use of social media.

2. An electronic device is a term used to define cell phones, smart phones, cameras, camcorders, video cameras, iPods, laptops, desktop computers, tablet computers, and personal digital assistants (PDA) that allow users to transmit voice communications, videos, photos, text, emails, data, files, information, opinions, and knowledge to other individuals utilizing an electronic device.

B. Purpose:

The goal of Phoenix Warrior Fastpitch Softball's Electronic and Social Media Use Guidelines are to establish guidelines of a precautionary nature for acceptable and unacceptable use of content captured by electronic devices and social media while members are engaged in activities, functions, and team or club situations. These guidelines are not meant to address one particular form of social media, but rather social media in general including new emerging technology.

C. Guidelines outline acceptable and unacceptable use of social media and electronic devices in the organization:

1. When engaging in electronic and social media activities, all members will maintain a level of professionalism that is consistent with the Mission, Vision, Conduct and Values of the Organization.
2. This guideline shall directly apply to organization owned and members' personally owned, operated, and maintained social media accounts and electronic devices that can photograph; capture or record still images, video, or sound; or transmit text, data, or information to social media accounts of members.
3. Utilizing social media or electronic devices shall not interfere with the duties and responsibilities of members.
4. Posting confidential information and/or content that is offensive, derogatory, defamatory, off-color or sexual in content to social media about Phoenix Warrior may result in board initiated disciplinary action. Confidential information includes operational data and records, investigative information, finances, personnel matters, and pictures and videos relating to the aforementioned items.
5. Members are responsible for all content that is posted to their personal social media accounts. Using social media to harass, threaten, disparage, intimidate, or discriminate against the community, members, volunteers, or other individuals is unprofessional and inappropriate.
6. Members are encouraged to use the internet and social media respectfully, responsibly, and accurately, since members postings reflect on the entire organization.

7. Members shall not use logos unless they are given permission to do so by the Executive Board.

8. Board President or appointees may act as spokesperson to disseminate information to the media (editors, reporters, newspapers, television stations, websites, bloggers) regarding organizations activities, e.g., tryouts, tournament activity, practice sessions, upcoming events, etc.

9. The Electronic and Social Media Use Guidelines applies to all members, volunteers, and families in the organization.

Article X

Grievances

Handling of questions, concerns and problems will always be first done on the team level at least 24 hours after any incident and no longer than 10 days after any incident occurs. There must be an interaction between the player/parent and the manager before the situation can be raised to the Executive Board level. The Executive Board will consider those situations brought to their attention and will handle disputes and take corrective action if necessary. If a problem cannot be solved on the team level, a written request for action shall be acknowledged by the manager, player and or parent and be delivered to any executive board members not involved with the situation and copies of the request will be distributed to all parties involved. The President of the association (with board approval) must meet with the concerned parties and provide a response to the manager, player and parent within 1 week to resolve the conflict.

Article XI

Discipline

- A. Any Member may be removed from **their position** for failure to perform his or her responsibilities. They may also be removed from **the position** if it is determined that his or her conduct is detrimental to the goals, policies, and operation of the organization. They may be removed for disregard of written policies, guidelines, rules and procedures of the association. They may be removed for conflict of interest. A majority vote is needed to remove any Member. If a Member is being removed. He or she is excluded from voting on their own fate.
- B. No board member, coach, player, or parent will use social media to make a statements about the Warrior organization. All such statements will be reviewed by the board of directors and any discipline will be decided by the board of directors.
- C. The president reserves the right to suspend any member for up to 10 days pending emergency hearing and disposition.

- D. Any member of the organization has the right to an appeal of any disciplinary action. This must be done in writing to the secretary and on the agenda for the next general board meeting.

Article XII

Funding

- A. The Phoenix Warriors receives funds and donations from outside sources In addition a participation fee will be assessed to all players. The participation fee will include the annual player membership fee as well as an amount necessary to cover sanctioning fees, tournament fees, uniforms, equipment, insurance, etc.
- B. Any participation fee more than 30 days late may be assessed a \$50 late fee each month it is late at the discretion of the team. In the event the organization is returned a check for insufficient funds a \$50 fee will be assessed.
- C. All funds and donations go directly to the association in care of the team.
- D. Phoenix Warriors fast pitch shall operate out of one banking account. This account will be used by all teams and administered by the treasurer(s).
- E. No part of the net earnings of the Association shall insure to the benefit of, or be distributable to its members, trustees, officers, or other private persons, except that the Association shall be authorized and empowered to pay reasonable compensation for services rendered and to make payments and distributions in furtherance of the purposes set forth in the paragraph above. No substantial part of the activities of the Association shall be the carrying on of propaganda, or otherwise attempting to influence legislation, and the Association shall not participate in, or intervene in (including the publishing or distribution of statements) any political campaign on behalf of or in opposition to any candidate for public office. Notwithstanding any other provision of these articles, the Association shall not carry on any other activities not permitted to be carried on (a) by an Association exempt from federal income tax under section 501(c) (3) of Internal Revenue Code, or the corresponding section of any future federal tax code, or (b) by an Association, contributions to which are deductible under section 170 (c) (2) of the Internal Revenue Code, or the corresponding section of any future federal tax code.
- F. All funding inquiries are available to any member upon request.
- G. All receipts must be turned in by July 31st of the given season for approved reimbursement.
- H. If a manager is terminated or resigns without a transition plan that is approved by the board, a credit will be issued to all players for that season within the Phoenix Organization.
- I. It is the manager's discretion on how to distribute funds left over at the end of the season.

Article XIII

Dissolution

- A. In the event of dissolution of the Phoenix Warriors, the Executive Board, after satisfying all outstanding liabilities, shall dispose of any remaining assets to one or more institutions or organizations in such manner as to promote the goals stated in Article II. A motion for

dissolution shall require unanimous approval of the Executive Board for adoption. Notice of such a motion shall be provided to the Executive Board members no less than 30 days.

- B. Upon the dissolution of the Association, assets shall be distributed for one or more exempt purposes within the meaning of section 501 © (3) of the Internal Revenue Code, or the corresponding section of any future federal tax, or shall be distributed to the federal government, or to a state or local government, for public purpose. Any such assets not so disposed of shall be disposed of by a Court of Competent Jurisdiction of the county in which the principal office of the corporation is then located, exclusively for such purpose or to such organization or organizations, as said Court shall determine, which are organized and operated exclusively for such purposes.

Article XIV

Liability

Everyone participating in the development of youth softball through the Phoenix Warriors shall act in a responsible and appropriate manner. In the event of a loss or damage to property or causes of action resulting in injury of any person, it shall be the policy of the association that all officials involved in the action whether board members or volunteers assisting shall be held harmless provided the action taken was made with the exercise of usual judgment and care, under circumstance then prevailing which people of prudence, discretion and intelligence exercise in their own affairs.

Article XV

Amendments to the By-Laws

These by-laws may be amended by a $\frac{2}{3}$ majority vote of the members present at the annual meeting or general membership meeting providing the meeting notice contains the proposal that the by-laws will be amended. A quorum of ~~at least 5 voting members~~ is required to vote on by-law changes. By-laws shall be reviewed on an annual basis.

Bylaws Updated

9/12/17 Updated for merger between Phoenix and PA Venom.

10/10/17 Final draft completed by committee

12/4/18 Updated by bylaws committee

1/16/19 Added concussion training to managers duties

2/13/19 Bylaws voted and accepted at board meeting