

# OATKA Southern Tier Football and Cheerleading Inc. Constitution and Bylaws

## **ARTICLE 1 - TITLE**

1. The name of this League shall be the Oatka/Southern Tier Football and Cheerleading Inc.

## **ARTICLE 2 - PURPOSE**

1. This League is designed primarily to encourage athletic endeavors, to promote the physical, mental and moral development of children, by providing the means through which the individual child shall receive education and instruction in football & cheerleading, to develop a sense of fair play, honest and fair competition and true sportsmanship.
2. Oatka/Southern Tier Football & Cheerleading League Inc. encourages it's members to continually strive to increase the prestige and finances of the organization.
3. No profits are to be derived through the endeavors of the League.

## **ARTICLE 3 - OFFICE**

1. The principal office shall be located the residence of the Secretary and/or the President. The League meeting to be held where and when at the discretion of the Board of Commissioners.

## **ARTICLE 4 - MEMBERSHIP**

1. Membership of the Oatka/Southern Tier Football & Cheerleading League, Inc. shall consist of Organization duly certified non-profit, and shall be duly franchised by the Oatka/Southern Tier Football & Cheerleading League, Inc. in accordance with the rules and regulations as the Board of Commissioners shall promulgate.
2. A 2/3rd vote of approval of the Board of Commissioners will be required for acceptance to the league.
3. A franchise shall be for one year and shall automatically renew upon payment of a \$500.00 nonrefundable commitment fee due at the January meeting. Franchise fee shall be established by the Board of Commissioners from year to year, immediately after scheduling has been completed and will be used to operate the group in the best interest of all member organizations. Further, no franchise will be granted unless sponsoring Organizations present four (4) complete cheerleading and football teams; One PeeWee Team, One Freshman Team, One Junior Varsity, One Varsity team (football and cheerleading) mandatory. Super Varsity is optional on football and cheerleading sides.

### *Conditions:*

- A. Your primary school district is a NYS Section VI Football Class A enrollment, or above, sized school. We will always use the current year's NYS Section VI football classification numbers. The OATKA Commissioners will determine the primary school district with assistance from sponsoring organization at the time sponsoring organization is granted a franchise. In the event it is determined the sponsoring organization covers multiple school districts the combined enrollment of these school districts will be used for OATKA varsity requirements. At any given time a sponsoring organization should be prepared to provide a detail listing of every registered player and their attending school district to substantiate their OATKA classification.

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### **ARTICLE 4 – MEMBERSHIP (cont.)**

- B. A sponsoring Organization may present its complete pee-wee, freshmen and JV teams in increments of Three (3), Six (6), Nine (9), etc., as long as it meets the minimum varsity requirement based on Article 4 section 3A and 3B, with cheerleading and football being equally represented. In the event an organization presents more than one (1)-varsity team, it can not exceed the number of incremental pee-wee, freshmen, or JV teams with cheerleading and football equally represented.

In the event, however, that an organization after furnishing the League with evidence of due diligence, is unable to fulfill the above varsity requirement in Article 4 section 3A and 3B, of three (3), six (6), etc. complete pee-wee, freshmen and JV teams, then the defaulting organizations shall forfeit said game(s) and pay a penalty as determined by the Board of Commissioners. Due diligence is defined to include at a minimum all of the following: (a) appointment of team coaches by April 1<sup>st</sup> of each year. (b) provide evidence of an organization's mailing of two separate recruitment letters to eligible participants for the team not represented {eligible participants being members from the prior seasons roster of both the team not represented as well as those players on the prior season roster scheduled to move up from lower division}. (c) sponsor at least three open registrations. (d) provide copies of registration advertisements placed in locally distributed media. (e) provide evidence of steps the organization took to induce registrations for the team not represented {ie. reduced or gratis registration, jersey giveaways, etc}. In determining the status of a franchise the Board of Commissioners may impose any of the following: (a) revocation of the defaulting organization's franchise. {b} forfeiture of all games on the non-represented teams schedule and a fine not to exceed \$ 250 per team, per game not represented. {c} placement of the organization on probation for one calendar year, [d] or any combination of the above. Any financial penalties imposed by the Board of Commissioners is payable to the League, with such penalty being divided equally between the League and opposing teams on the defaulting organization's schedule. All penalties must be paid as of such date as rosters are frozen for the team(s) not represented. No new franchises will be granted to any Organization after June 1st of any year and for the first year the new Organizations will be considered on probation, with no voting rights.

4. An organization making application for a franchise to the League shall furnish, as set forth below, information the League deems necessary in determining the applicant's viability and fitness for League membership. At the Leagues discretion, they may add or delete information requests as may be appropriate.
1. Applicant's mission statement and guiding principles.
  2. Copy of applicant's Bylaws.
  3. Roster of applicant's Officers and Board of Directors, including addresses and telephone numbers.
  4. Copy of applicant's organizational chart.
  5. Copy of applicant's operating budget.
  6. Copy of applicant's most recent financial statement.
  7. Copy of applicant's financial/fund raising plan.
  8. Copy of the minutes from applicant's most recent meeting.
  9. Copy of applicant's participant rules.
  10. Copy of applicant's parent rules.
  11. If the applicant is receiving any public funds, a letter from that entity's chief fiscal officer indicating that such funds have been officially approved, the amount allocated and operating agreement governing such distribution of such allocation.
  12. If the applicant is receiving any private corporate grants, a letter from that entity's chief fiscal officer indicating that such funds have been officially approved, the amount allocated and operating agreement governing such distribution of such allocation.
  13. Letters from any educational systems supporting applicant's endeavors wherein the amount and type of support is fully described.
  14. the location and physical description of practice and game facilities complete with letter of authorization from the owner of record to utilize such facilities.

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## **ARTICLE 4 – MEMBERSHIP (cont.)**

15. A description of applicant's marketing area including demographic information containing population, current and projected number of children between the ages of four and fifteen.
  16. Three letters of reference from independent community members.
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5. Failure to pay commitment fee - any member organization who shall be ten (10) days or more in default in the payment of these fees shall by action of the Board of Commissioners, be suspended from all privileges of membership. After written notice of such default, the default be not cured within a period of thirty (30) days, the franchise of said organization shall be terminated by action of the Board of Commissioners. (Hereafter referred to as - the Board of Commissioners).
  6. Except as provided in sections #5 above, a member may be expelled or have it's application for a franchise renewal denied only after full investigation by a committee appointed by the Board of Commissioners and subsequently there to, upon an affirmative vote of 2/3rds of the Board of Commissioners that such expulsion or denial of franchise is to be on the agenda of such meeting.
  7. Each member organization shall earnestly and in good conscience comply with the rules and regulations of the League and has the responsibility of financing it's own team (s). No member shall be subsidized by or receive financial assistance from the League.

## **ARTICLE 5 - BOARD OF COMMISSIONERS**

1. The government, control, regulation and management of the League shall be vested in the Board of Commissioners. The Board of Commissioners is empowered to promulgate certain playing rules and regulations relative to football competition which, although separate and apart from this constitution, shall be binding on all members of the league. Further the Cheerleading Coordinators are empowered to promulgate certain playing rules and regulations relative to cheerleading competition which, although separate and apart from this Constitution, shall be binding on all members of the league.
2. Each Organization shall have one member and one assistant Board of Commissioner member to be appointed by their Organization. Recognized Commissioners and Assistants shall be viewed as the sole representatives of their organizations during discussions of League business and as such may freely participate in League meetings. Outside members of organizations or the general public shall be permitted to participate in League discussions only at the discretion/invitation of a majority of the Board of Commissioners or the determination of the OATKA Executive Board. Any person outside of commissioners and assistants that wishes to address the Board of Commissioners at a monthly scheduled meeting, must notify a member of the Executive Board with the topic to be addressed 10 days prior to the scheduled meeting. Each organization will be allowed one vote unless the said organization brings in an additional complete set (4 divisions) of teams that has been established for three (3) consecutive years, the said organization shall then receive one (1) additional vote.
3. Board of Commissioners shall hold an annual meeting, at the February meeting to elect it's officers, consisting of President, Vice President, Secretary and Treasurer. The office of President and Treasurer shall be voted upon in odd numbered years and the office of Vice President and Secretary shall be voted up in even numbered years. All commissioners who are officers, will retain their full voting privilege.

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### **ARTICLE 5 - BOARD OF COMMISSIONERS (cont.)**

4. The Board of Commissioners shall approve and publish whatever publication, literature and other materials as may be required to promote the program of the League and for the information and guidance of the membership, and participants of interested parties.
5. A majority of members of the Board shall constitute a quorum at any meeting and the majority of votes cast shall govern, except where otherwise provided for herein.
6. No officers, Board Members or others participating in the League are to be paid salaries, monies or any financial compensation.
7. In the event there is a tie vote on a motion that is on the floor, said motion will be put to a ballot vote, if ballot vote is still tied, tie vote shall be broken by the President. In the event that the President is a Commissioner, then the tie breaking vote would go to the next senior Executive Board member {President, Vice President, Secretary, Treasurer}, not acting in a commissioner capacity during that vote. Should all Executive Board members be acting as Commissioners, then the motion will be defeated.
8. Any Commissioner/Coordinator or designate tardy for monthly business meeting in excess of 15 minutes of published starting time shall be subject to a \$5.00 fine, absent \$10.00 fine. Offending Organizations will relinquish their vote until said fine is paid.
9. The Commissioners from each area will have the authority to vote on, and approve or disapprove any motion pertinent to the promotion of the league and its management at a regular monthly meeting. The only time it will be deemed necessary to present information to each member organization and then returned at the next monthly meeting will be as follows:
  - (a) When it involves disbursements from the franchise fees and treasury.
  - (b) When it involves a by-law change-see: by-laws-article 10-amendments.
  - (c) When it involves a playing rule change-see: Playing rules-rule 19 - section 1

### **ARTICLE 6 - OFFICERS**

1. The officers shall be elected from the Board of Commissioners, consisting of one commissioner and one assistant commissioner from each organization, or from past members of the Board of Commissioners {with a minimum two years service}, who have served in good standing as an individual commissioner. Executive Board Members not acting as a Commissioner must attend a majority of the scheduled weekly games.
2. The President, or at his direction, the Secretary shall notify all members of the Board of Commissioners of scheduled meetings, further, the President shall supervise and appoint committees as he deems necessary to handle such matters as scheduling, investigating complaints, fund raising, etc., which will be reported back to the Board of Commissioners.
3. The Vice President shall perform the duties of the President in his absence. He shall also chair the following subcommittees: (1) League Publicity; (2) League Expansion; (3) Coaching Certifications.
4. The Secretary shall record and maintain minutes of all board meetings, answer all official correspondence of the League and perform all duties associated with his office.

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### **ARTICLE 6 – OFFICERS (cont.)**

5. The Treasurer is responsible for receiving and depositing in an accredited bank, all funds accruing to League, maintain and preserve accurate and adequate financial statements and records, and pay promptly all bills against the League. All monetary transactions by commissioners and coordinators are to be approved by the Board of Commissioners **ONLY!**
6. All checks and drafts for payment of money shall be signed in the name of the League and must be signed by any two Officers out of three approved from the Board of Commissioners.
7. A financial report is to be given at each meeting.
8. A copy of Co-Ordinators monthly minutes and financial report are to be given to Commissioners Secretary and a copy of the Commission's monthly minutes and financial report will be given to the Coordinators Secretary on a monthly basis.
9. The President shall appoint an auditing committee of at least two Commissioners whose duty it shall be to examine the Treasurer's books at the February meeting of the League
10. In the event of a vacancy, due to a resignation or any other reason, in any of the above offices, the Board of Commissioners shall elect a successor to fill the unexpired term of said office at the next regularly scheduled meeting after the vacancy occurs.

### **ARTICLE 7 - PLAYING RULES AND REGULATIONS**

1. The Board of Commissioners shall promulgate certain playing rules and regulations which, although separate and apart from this Constitution, shall be binding on all members of the League. The penalties for a violation of the Playing Rules and Regulations shall be contained therein. However, in the event that there shall be any conflict between this Constitution and the Playing Rules and Regulations, the former shall control.
2. All rules necessary for the functioning of the league will be made by a committee of the Board of Commissioners. All rules are subject to change at designated meetings as stated in Playing Rules, unless deemed necessary to protect the health and welfare of the participants.
3. All Organizations in this League will accept applications for participation in football and cheerleading on a first come first serve basis as outlined in the playing rules. Those Organizations with excess applications of specified amounts, will direct said applicants to Organization within this League that will best suit applicants needs, and also put applicant on a reserve list noting date and time application was received in case an opening arises on a current team originally applied for.
4. At the discretion of the home organization, a veteran player (a player having played during the previous year) may have the first day of registration set aside for sign ups of these players and cheerleaders only. Second sign up day would be for new players and veterans who missed the veteran sign up day on a first come first serve basis. If a veteran does not sign up on veterans day, he must then sign on the second day on a first basis.

### **ARTICLE 8 - INTERPRETATION CLAUSE**

1. In the event that there is a conflict as to the meaning or interpretation of any article, section, subsection, paragraph, sentence, clause, phrase, word or words, said meaning or interpretation shall be determined by the Board of Commissioners. Said interpretation shall be reduced to writing and appended to this Constitution and shall be binding on the President, Officers and Board of Commissioners until overruled by the Board or amended as provided by Article 10.

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**ARTICLE 9 - PARLIAMENTARY AUTHORITY**

1. Robert Rules of Order, shall govern the proceedings at all meetings.
2. The following AGENDA shall be considered the proper format for conducting all OFFICIAL business of the LEAGUE:

**CALL TO ORDER  
ROLL CALL  
SECRETARIES REPORT (READING OF THE MINUTES)  
TREASURERS REPORT  
COMMUNICATIONS AND BILLS  
OLD BUSINESS  
NEW BUSINESS  
GOOD OF THE ASSOCIATION  
ADJOURMENT**

**ARTICLE 10 - AMENDMENTS**

1. These by-laws may be amended, altered, changed, added to or replaced by the affirmative vote of a 2/3 margin of the Board of Commissioners present at any meeting. A quorum (2/3 of the Board of Commissioners total) must be present to vote on a rule change. Change in writing should be submitted to the League Secretary (20) Twenty days prior to the next regular League Meeting. First reading will then be at that next meeting, and read at the next two subsequent regular monthly League meetings. After the third reading a vote will be taken as whether to accept or defeat said proposal, providing a Quorum is present.

**ARTICLE 11 - DISSOLUTION**

1. In the event of disbanding or dissolving, all material items and monies are to be turned over to another similar organization, or proportionately distributed to the member organization.
2. The assets of this Corporation shall be permanently and irrevocably dedicated to tax exempt purposes. Upon dissolution of this corporation for any reason whatsoever all assets, if any shall be distributed for one or more of the exempt purposes described in Section 1116 (a) (4) of the Tax Law of the State of New York in Section 501 of the Internal Revenue Code of the United States of America or under the applicable exempt provisions of either of such laws at the time of dissolution, or the Federal Government, or to a State or Local government for an exempt purpose.
3. When an Organization for any reason other than suspension or being barred from the League, leaves the League, that Organization will receive all franchise fees less any assessments, penalties, fines and/or non refundable commitment fee. Fee will be given only to a duly recognized representative of said Organization. If after one year no one can be contacted from said Organization, fees will go into this League's general fund.