



CHARTER & BYLAWS

OF THE

AREA YOUTH SPORTS PROGRAM

ADOPTED MARCH 2005
REVISED MAY 7, 2007
REVISED JANUARY 12, 2009
REVISED MARCH 8, 2010
REVISED JANUARY 9, 2012
REVISED June 1, 2015
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CHARTER

Section 1: AYS was founded by local citizens with the goal to empower kids with healthy bodies and minds, instill strong sportsmanlike conduct, and ingrain respect and modesty for what's around them through energizing team sports for children **preK** through 8th grade.©

AYS was incorporated in 1969 and continues to give children the strong opportunity to develop into healthy and respectful adults.

Section 2: The purpose for which said corporation is formed is for the betterment of good sportsmanship among young athletes **and coaches**.

Section 3: Said Corporation shall have perpetual succession. It may sue and be sued. It may hold, receive, lease and purchase such real estate and personal property as may be requisite and expedient for its purposes, and may sell, lease, encumber, and dispose of such property. It may adopt a Charter and by-laws for its own government, suspensions, expulsion and punishment of its members and for the election and appointment of its officers and agents and the defining of their duties and it may alter and repeal the same. It may also adopt rules for the individual sports programs.

Section 4: Said corporation may locate and establish subordinate councils, or other branches and divisions thereof, composed of members of said corporation, and said subordinate councils or branches, when so established, shall be governed and managed by such laws, by-laws, rules and regulations as said corporation shall determine.

Section 5: All Bylaws, regulations and rules of said corporation in force at the time of the adoption of this act shall remain in full force and effect until amended or repealed.

Section 6: Said Corporation shall make no laws, Bylaws, rules or regulations inconsistent with this state.

Bylaws

The following is hereby established as the Bylaws of
Area Youth Sports
(Referred to as AYS here within)

ARTICLE 1- NAME, PURPOSE

Section 1: A Board of Government is established to be known by the name of AYS Board of Directors.

Section 2: The AYS Board of Directors is hereby vested with full power and authority to make, alter and repeal all laws, rules and regulations for the government, management, discipline and control of AYS or of any council or division thereof, and to enforce the laws, rules and regulations enacted by the AYS Board of Directors.

ARTICLE II- MEETINGS

Section 1: **Monthly Meetings** - The AYS Board of Directors shall meet **biweekly**, at the AYS building. The meeting will be scheduled to a time and location deemed acceptable by the President, or acting President. Any meeting called, other than monthly meeting, shall have a two thirds vote of the Board of Directors. The votes to hold a special meeting may be taken over the phone, email **or by messenger**, provided every board member is notified.

Section2: **Executive meetings-** Executive meetings are held in private. They are called for legal matters or for disciplinary actions only. No notes may be taken in executive session. When an executive meeting is called, the minutes must state why it was called. Any board member, commissioner, coach or volunteer connected to AYS being brought before the AYS Board of Directors for disciplinary action must be informed by a formal letter and have the option of being at that meeting. Said person must also have the option to have one representative at that meeting. The board will exit executive session to vote on actions to be taken in the regular meeting.

ARTICLE III- BOARD OF DIRECTORS

Section 1: **Board Details** – The AYS Board of Directors shall be comprised of any person living in Fayette, Jay, Livermore or Livermore Falls. There will be no more than 12 members with one seat being held so each of the four towns may have at least one board member. Potential board members must submit a letter of interest to the AYS BOD and attend three of the next five regular board meetings. At the end of their third meeting, the board will vote, by written ballot, whether or not to appoint the applicant to the board. The candidate will be asked to leave prior to the vote, and may be asked to return for any questions. All board members will be required to submit to a background check upon election & reelection to board.

Section 2: Board Duties - All executive powers shall be vested in the Board of Directors. Said Board shall have general supervision of the affairs of AYS and shall ensure all the laws of AYS be faithfully executed and administered. They have full control and management of all matters as to and of disputes, discipline, funds or property of AYS, and of all other concerns of AYS. They shall have full power and authority to interpret the laws of AYS, consistent with the spirit thereof, and the well-being of AYS. Said board shall also have all rights and responsibilities for choosing all new board members.

Section 3: Board Elections & Term - The Board of Directors shall be elected to a three-year terms. At the end of their three-year term, board member can choose to leave their duties as a member of the AYS Board of Directors or serve another term. If member choses to serve another term, he/she will only be able to if re-elected by the remaining board members.

Section 4: Quorum - A majority of the members of the Board of Directors and the President or any active officer must be present at any meeting for it to be an official meeting. Attendance via speakerphone **or teleconference** is deemed acceptable.

Section 5: Officers & Duties - There shall be four officers of the board consisting of the President, Vice President, Secretary and Treasurer.

The President leads the meeting and special events. He appoints all committees. The President works as a public relations officer to promote all AYS programs and special events. The President is not a member of the Board of Directors and has no vote except in the case that the Board of Directors has tied a vote. The President shall also be responsible for providing meeting agendas to all board members **at least four days (remove)** prior to meeting.

The Vice President shall be a board member; they will stand in for the President when the President cannot preside over the meeting for some unforeseen reason. The Vice President, when presiding over the meeting, will follow the same rules as the President with the exception of appointing committees. **The Vice President shall do what is required by President.**

The Secretary is responsible for recording the minutes of the meetings and having a copy of said minutes available for each board member, and/or any public that might be at the next **biweekly** meeting. Said minutes should be available to board within a week prior to the next regularly scheduled meeting. The Secretary is also responsible for the keeping of any other records that the Board of Directors may require from time to time.

The Treasurer is responsible for the recording of all monies received or expended. All bills paid must have a written receipt. The treasurer shall provide a monthly report of all funds and expenses to the Board **at all monthly meetings (remove)**. The treasurer will also perform such duties as may be imposed by law and/or by the Board of Directors.

Section 6: Officer Elections & Term - The Board of Directors shall elect officers once each year, the President, whom shall not be a board member, Vice President, Secretary and Treasurer, whom shall be board members. Officer elections will take place January of each year. All Officers are eligible to be re-elected into office.

Section 7: Resignation, Termination and Absences - Resignation from the board must be in writing. Every board member that resigns from AYS is asked to give a one month notice. **Absences need to be reported to President prior to meeting.** A board member **may (instead of shall)** be dropped for excessive absences from the board if he/she has three consecutive unexcused absences from meetings. A board member may be removed for **any (instead of other)** reasons by a two-third vote of the remaining members.

ARTICLE IV: COMMITTEES & MANAGER DUTIES

Section 1: Building Manager – The Building Manager is responsible for assessing maintenance, repair, and equipment needs relating to the upkeep of the AYS Building(s). The Building Manager reviews and makes recommendations periodically concerning the upkeep and remodeling of the AYS building(s). They will aid in the formulation of plans concerning the building, and to assist with the execution of these plans. The Manager will have a budget for the current fiscal year, set by the Board of Directors. **The manager will oversee the rentals and usage of the facilities. The manager will follow guidelines on the rental and usage of facilities, special requests require board approval.**

Section 2: Web Committee - The duties of the web committee will be to promote the activities of AYS, by means of the internet. Committee members will contribute to ongoing communications, including the developing and maintaining of the AYS website and the AYS Facebook Page. The committee members will work regularly with all board members to facilitate the consistency and professionalism of communication efforts, through the web, with our supporters and members. They will utilize the website as an informational source by having useful forms, information and current announcements. They will be responsible for keeping the sites up to date and useful.

Section 3: Volunteer Coordinators - Volunteer Coordinators are responsible for helping in any area that involves volunteering. Volunteer Coordinators shall be elected by the board of directors. Volunteer Coordinators work alongside the president when organizing special events. They create descriptions of volunteer work that needs to be covered, recruit new volunteers through local media and community meetings and hold training sessions. They work with the board to discuss upcoming events and ongoing needs. Volunteer Coordinators act as supervisors for all volunteers and serve as the liaison between volunteers and board. Volunteer coordinators should ensure all volunteers are recognized for their involvement. Volunteer Coordinator should be at all sports sign-ups to enlist volunteers. These coordinators maintain a database of volunteers, their duties

and their hours of work. They create reports for the board and recommend changes that would be beneficial for the volunteer program.

Section 4: **Background Check Appeal Committee:** The Background Check Appeals Committee will consist of the appointed head chairman and at least two officers of the AYS Board of Directors, with all four of the AYS officers invited. The duty of the committee is to go over any background checks that come back with criminal charges. The committee will review and determine if said charges are enough to not allow or terminate individual from being active in AYS. Committee will then bring information and their recommendation to the whole AYS Board to be voted on.

Section 5a: **Clothing Manager:** The clothing manager will be in contact with commissioners regarding clothing needs. The clothing manager will be in charge with ordering, status of items and delivery.

Section 5b: **Equipment Manager:** The equipment manager will be in contact with commissioners regarding equipment needs. The equipment manager will be in charge of ordering, status of items and delivery. Equipment managers will also be responsible for end of year awards and certificates where noted in bylaws. (Article VI, Sect.6)

ARTICLE V- CODE OF CONDUCT

Section 1: The AYS Code of Conduct clarifies the standards of behavior that are expected of any persons associated with AYS. It gives guidance on how members should conduct themselves and possible actions that could result if code of conduct is breached.

Section 2: **AYS Board of Directors** - All board members must act honestly, in good faith and in the best interest of the AYS Program as a whole. Board members may not take improper advantage of their position to receive special privileges which aren't available for all members of the AYS Community. Board members must not allow personal opinions or interest to affect the decisions made on behalf of the AYS program. Voting and decisions shall remain unbiased. The Board will not engage in any conduct likely to discredit the AYS program.

Section 3: **AYS Commissioners & Coaches** - All commissioners and coaches must act honestly, in good faith and in the best interest of the AYS Program as a whole. They may not take improper advantage of their position to receive special privileges which aren't available for all members of the AYS Community. They must conduct themselves in a manner that honors the game and demonstrates respect to others. They will maintain high ideals and desirable attitudes. They will practice good sportsmanship and exhibit self control at all times. They will be modest when successful and gracious in defeat. **Communications between coaches and commissioners is a must.**

Section 4: **AYS athletes, officials, parents and spectators** - Players, officials, parents and spectators must conduct themselves in a manner that honors the game and demonstrates respect to others. They will maintain high ideals and desirable attitudes. They will practice good sportsmanship and exhibit self control at all times. They will be modest when successful and gracious in defeat.

Section 5: **Breaching of the AYS Code of Conduct-** When allegations of a breach of the Code comes to the attention of AYS, the board will investigate the matter. Depending upon the facts found during investigation, AYS may take disciplinary actions. Disciplinary actions may be one of the following depending on the severity of breach: suspension of duties and/or temporary loss of right to attend AYS functions or complete termination of duties and/or permanent loss of right to attend AYS functions.

ARTICLE VI- POLICIES

Section 1: **Commissioner-** The Board of Directors shall elect all commissioners. All commissioners from the previous year will have the first option to be the commissioner of their sport the next season provided the Board of Directors approves them. There will be a commissioner for each sport. **The commissioner of that sport will not be allowed to coach or assistant coach the sport unless extenuating circumstances occur. (i.e. lack of volunteer or emergency situations, etc.) In cases, commissioner has an asst. commissioner, the assistant commissioner will be allowed to coach but will only act as a coach and not as an assistant commissioner when it comes to the AYS Chain of Commands.** The commissioner will be responsible for the day to day running of that sport program. **The commissioner will be responsible for the collection of all unpaid fees, decision on late signups, the scheduling of games and practice times and picking of coaching staff. They will also be responsible for reporting to the board during board meetings while their sport season is active. Via email or in person.** Commissioners shall work with the Volunteers Coordinators to provide information necessary for scheduling volunteers. All coaches or assistant coaches who have coached the previous year shall have first option to coach the new season before it is passed on to a new coach. The commissioner or **AYS Board** shall have the right to discipline or remove any coach, athlete or volunteer who does not follow the rules and regulations or bylaws set forth by the Board of Directors. The commissioner must notify in writing any action taken to both the person to whom the action is taken and to each member of the Board of Directors. Any person that does not agree with the Commissioners action may ask to have a Board Hearing. The commissioner shall submit a budget for equipment cost or any other expense that may occur for that sport program along with an inventory of equipment/uniforms, to the Board of Directors for approval prior to the program startup date.

Section 2: Chain of Command-Constructive criticism of AYS is welcomed by the Board whenever it is motivated by a sincere desire to improve the quality of the program or to equip AYS to do their tasks more effectively. The AYS Board of Directors have confidence in our volunteers & desire to support their actions in order that they are free from unnecessary, spiteful, or negative criticism & complaint. This policy does not supersede any member of the AYS Community's right to contact Board members directly. However, whenever a complaint is made directly to the Board as a whole or to a Board member as an individual, it will be referred back to the next person in our chain of command. The Board advises the public that the proper channeling of and most effective way to resolve complaints and conflicts involving AYS are as followed:

Public → Coach → Commissioner → AYS Board of Directors

(AYs suggests individuals give themselves a 24 hour chill down period before acting on any negative situations.) The Board will consider hearing public complaints when they cannot be resolved by the other links in our chain of command. Matters referred to the Board **should** be in writing, must include address, contact phone numbers, signature of the complainant, and should be specific in terms of the action desired. **Matters can be emailed to AYS board as a whole. (board@ayssports.org)**. After reading such complaints, and if more information which might challenge or question the good name or character of an individual is needed, the Board shall consider to have all parties attend an Executive Meeting. The Board will not consider or act on complaints that have not been explored at the appropriate level or if the appropriate chain of command has not been attempted.

Section 3: Credentials - AYS reserves the right to **recur** all potential Commissioners, Coaches and Volunteers to take training programs from time to time and/or subject themselves to a background check.

Section 4: Background Checks - All new AYS Board members, commissioners and coaches are required to complete a background check. This check must be conducted prior to their participation in the AYS program and will be done yearly if individual is continuously active in the AYS program. Background checks are considered confidential and will only be discussed within the AYS Board of Directors, when determining individual's eligibility. Once the background check is complete, the AYS Background Check Appeals Committee head chairman will review results. If no record is found, AYS will not notify you. If background check discloses any convictions for a felony or misdemeanor, the committee will discuss actions and report back to the AYS Board of Directors, in which AYS has all rights to suspend individual from all AYS duties.

DISQUALIFYING CRIMES

- **All Sex Offenses**
 - Examples include, but are not limited to: child molestation, rape, sexual assault, sexual battery, sodomy, prostitution, solicitation, indecent exposure
- **All Felony Violence Offenses**
 - Examples include, but are not limited to: murder, manslaughter, aggravated assault, kidnapping, robbery, aggravated burglary
- **All Felony offenses other than violence or sex within the past ten (10) years**
 - Examples include, but are not limited to: drug offenses, theft, embezzlement, fraud, child endangerment
- **All Misdemeanor Violence Offenses within the past seven (7) years**
 - Examples include, but are not limited to: simple assault, battery, domestic violence, hit and run
- **Two or more misdemeanor alcohol offenses within the past five (5) years**
 - Examples include, but are not limited to: driving under the influence, drunk and disorderly, public intoxication
- **All Misdemeanor Drug offenses within the past five (5) years or multiple offenses in the past ten (10) years.**
 - Examples include, but are not limited to: simple drug possession, possession of drug paraphernalia
- **Any other misdemeanor within the past five (5) years that would be considered a potential danger to children or is directly related to the functions of that coach.**
 - Examples include, but are not limited to: contributing to the delinquency of a minor, providing alcohol to a minor

If background check indicates that an individual has criminal charges pending, AYS may reject individual from duties until there is a resolution of the charges. AYS will notify individual in a timely manner. The individual will then have 5 days to respond or ask for a meeting to present additional information or to contest the results presented. AYS will immediately proceed with a review to determine if the criminal activity is enough for termination.

CRIMINAL OFFENSE CONSIDERATION FACTORS:

- Nature & Severity of the offense
- Individual age at the time of offense
- Number and type of offense(s)
- Time elapsed since last offense
- Probation or parole status

If an active individual subsequently has any criminal charges brought against him/her, they are required to immediately disclose the nature of the charges to the AYS Board of Directors and voluntarily terminate all their duties until a determination is made by the board regarding the effect the pending charges has on his/her duties within the program.

Section 5: Equipment - Any participant or coach may be prohibited from participating in any AYS program until all of the equipment and uniforms from previous sport has been returned. Once the equipment and uniforms are returned, or replacement costs paid, they will be allowed to once again participate in any upcoming sports.

Section 6: Trophies & Awards - AYS will not purchase any trophies for any sports programs with the exception of any starter program sports (Little Hoopster Basketball, Little Kickers Soccer, Tee Ball & Flag Football) and for the playoff champion for any **in house** sport which conducts championship playoffs at the conclusion of the regular season.

Section 7: Fund Raising- Any person wishing to host a fundraising event using the AYS name must complete the fundraising form and submit it for board approval before hosting the event. Any funds raised by any form of fundraising in the name of or for the use of AYS must be turned in to the treasurer of the Board of Directors.

Section 8: Practice times- All practice times when school is in session will be limited up to 4 hours per week for all **in house sports. League Teams will be limited up to 6 hours per week. With the exception of middle school football division.**

Section 9: Sign Up Policy- Signups for all seasonal sports will take place prior to the beginning of each season. AYS will offer 4 weeks of initial signups for all sports. Signups will be taken during these 4 weeks at the designated price varying per sport. Signups will be allowed only at the designated areas as well as online.

After the signups have closed, any signup that happens up to the week before the coaches meeting (to allow to accommodate the number of coaches needed) will be considered late, and there will be an additional \$10 fee associated. This coaches meeting date will be posted on the AYS Facebook page, and AYS website. **After the closure of late sign ups when teams have been organized, the AYS Board will make decisions for any late signups of any sport that season prior to the first official game.**

Section 10: Participation availability- Any children participating in AYS sports must be legal residents of the Towns of Jay, Livermore, Livermore Falls or Fayette. Students attending Fayette schools or RSU 73 on a Superintendents agreement are also allowed to participate. Accommodations can be made by the Board of Directors for children from communities that don't offer a sport or for other reasons.

- Section 11: Payment & Participation-** Signup fees are due for all programs at time of registration or before season starts. If fee has not be received by the first scheduled game, the athlete will not be able to participate until there is communication with AYS regarding the fee and/or payment arrangements have been discussed and agreed upon by both AYS and concerned party. AYS will suspend any account with a past due balance and prohibit participants from participating in any upcoming sports until balance is paid in full **or payment agreements is current.**
- Section 12: Refund Policy-** Full refund, *minus Sportssignup fee and/or credit card transaction fee*, will be given if an athlete elects not to participate in a sport and said sport has not started. Once a sport has started, the refund will be a full refund minus all costs incurred. Incurred costs include, but are not limited to: t-shirt/uniform purchased, insurance paid, etc. A sport is considered to have started if any practices have been held for any of the teams participating. Once the first “game” has been played, no refund will be given. A game includes meets, games, formal skills and drills, etc. Attendance or lack of has no bearing on whether or not a refund will be given.
- Section 13: Check Acceptance Policy-** Participants understand and agree that by paying with a check, they are entering a contractual agreement that obligates them and holds them responsible for any and all penalties, costs and incidental damages but not limited to, return check charges, state surcharges, interest, collection costs, legal expenses, attorney fees on any check returned non payable. Returned checks, state surcharges and incidental fees may be debited from their account electronically or by way of paper draft, by us and our representative. Service fee amount is \$35.00.
- Section 14: AYS Gym Use Policy-** This policy is designed to promote and protect the use of the gym for all AYS sports and our community. AYS needs your help in adhering to the guidelines set forth by AYS board so that the gym remains a clean safe place for all users. It is everyone’s responsibility to take care of the gym to protect our investments. When signing out the gym, a responsible adult “designee” will be held accountable for opening and closing out the gym after each use and making sure all participants adhere to the rules. This involves making sure that all of the lights are turned off, bathrooms are clean and all waters turned off. Make sure the heating system is functioning and temperature is set to ensure no freeze ups in cold weather. All doors are secured and door key is placed back in lockbox after use. General rules: No food or drinks on gym floor at all times. Only athletic shoes can be worn on gym floor. No horseplay on bleacher seats. Access to building is restricted to gym, bathrooms and lobby. Stay out of storage rooms and old school building attached to AYS building. No pets allowed in the gym. Police yourself. Remove all items you bring in with you. This includes water bottles, coffee cups, food wrappers, and clothing. AYS will not be responsible for lost or stolen property. Respect others and show good sportsmanship at all times.

Section 15: **Concussion Policy-**The AYS policy is that if a player/teammate/coach/official suspects any player of having a concussion (i.e. by displaying signs and symptoms of a concussion), that player shall be removed from the game or practice. Once a player suspected of a concussion is removed from a game or practice, that player is NOT to re-enter the remainder of that game or practice. In the event that multiple games are being played on the same day, a note from a doctor or medical professional must be provided to the coach prior to that player participating in any subsequent games. Further, under the normal course of the season schedule where there is one game each weekend, a doctor's note must be provided before the injured player may return to play at the teams practice and weekly game - for example, if a player has a concussion on Saturday, they must provide a doctor's note to their coach before participating in practicing on that Monday following the game where they were injured. Coaches are further instructed to follow the AYS guidelines of - When in doubt, sit them out.

Section 16: **VIP Program-** The AYS VIP Program rewards volunteers who volunteer their time and services to the AYS Program. Volunteers that volunteer 10 hours, in areas other than coaching/commissioning will receive a \$40.00 signup credit. (Limited one per year.)

Section 17: **VIP Coaching/Commissioner Program-** Head coaches or commissioners will have their child's signup fee waived if they are coaching or commissioning that season. (Limited to one sport and one kid per season.)

Section 18: **Fiscal year & Annual reports** – The AYS fiscal year starts January 1st and ends December 31st. AYS will prepare an annual report by the scheduled March meeting of each year for the prior fiscal year.

ARTICLE VII- DEFINITIONS

Minutes: A written record of any motions or decisions made during an official meeting.

Athlete: Any young person signed up for any sport program or other event and has paid there fees or had there fees waved by the Commissioner.

Volunteer: Any young adult or any adult person that has volunteered to help AYS with its programs receiving no pay for their services.

Member: Any coach, commissioner or booster that has volunteered to help AYS with its programs receiving no pay for their services.

ARTICLE VIII- AMENDMENTS

Section 1: **Amendments and repeals** - The AYS Bylaws may be amended or repealed by a majority vote of the Board of Directors during a regularly scheduled meeting when the amended or repealed measure is presented.