

# BRIGHTON YOUTH ASSOCIATION FOOTBALL LEAGUE CONSTITUTION AND BY-LAWS

---

## **Article I: ORGANIZATION**

### Section I.01: NAME

The name of this organization shall be known as “Brighton Youth Association Football League (BYAFL)”, a non-profit and non-partisan voluntary unincorporated association.

### Section I.02: PURPOSE

The purpose of this organization is to promote and conduct a football program for youths from grades 2<sup>nd</sup> to 8<sup>th</sup> regardless of sex, creed, religious preference, that are physically and mentally able to participate, in accordance with the rules of football including proper team spirit, individual conduct and good sportsmanship. EXCEPTION: 1<sup>st</sup> graders may play on a 2<sup>nd</sup> grade team for ONE YEAR and then play 2<sup>nd</sup> grade again as 2nd graders.

### Section I.03: NON-PROFIT AND NON –STOCK CORPORATION

The Association shall be operated as a non-profit corporation in accordance with the laws of the State of Colorado. The private property of the members of the Association shall not become liable for the debts of the Association. The Association shall be a non-stock corporation, and no dividends or pecuniary profits shall be declared or paid to the members thereof.

### Section I.04: DISSOLUTION OF ASSOCIATION

Upon the dissolution of this organization, assets shall be distributed for one or more exempt purposes with the meaning of the 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 a public purpose.

### Section I.05: General

Principal Office: The location of the principal office of the BYAFL shall be maintained at the residence of the President of the Board of Directors, and may be moved from time to time by order of the Association.

## **Article II: Action by Membership**

1. No member shall be bound to support every action of the governing Board of Directors. Each member shall be privileged to deny or withhold his/her sponsorship of any proposal. “Member” is defined as “Team”
2. JMFA membership is activated as follows: Entry fee to the Jeffco Midget Football Association and uniforms. All uniforms (helmets, jerseys and football pants) for all

# BRIGHTON YOUTH ASSOCIATION FOOTBALL LEAGUE CONSTITUTION AND BY-LAWS

---

- teams will be the same in appearance. Any deviation from the league uniform must be approved by the Board.
3. Each team shall have one (1) vote in the conduct of Association business. Cheer will vote on all matters with the exception of football rules or regulations.
  4. BYAFL shall act by majority of the members or votes present at any meeting.
  5. The eligibility of all Board Members, Coaches, and Assistant Coaches will be verified through a background check and an annual review of prior year's complaints as noted in Duties of the Board of Directors. Each Board Member, prospective coach or anyone in an official position with the league will be required to undergo a background check by an accredited and approved company, prior to the commencement of the season. Refusal will automatically make that person ineligible for a position as Coach or Board Member. Because the following violations (a-d) will be detrimental to the welfare of the children within our league, they will be considered cause for removal from the Board or denial of any coaching position. This will be done bi-annually prior to the beginning of each football season.
    - a. Any sexual offenses.
    - b. Any drug or narcotic offense.
    - c. Any crime against children.
    - d. Any conviction of a violent crime.
  6. If any coach or Board Member wished to appeal, they must submit the appeal in writing to the Board of Directors.
  7. MEMBERS. There shall be one class of membership in BYAFL. One membership shall be granted to each football team participating in BYAFL (each, a "Team")
    - 7.1 *ELECTION OF TEAM REPRESENTATIVES*. Each Team shall be comprised of the Team players, the parents or legal guardians of such players, coaches, one or more Team Parents, and a Team Manager. Each Team shall hold a meeting prior to August 15th of each year for the purpose of electing a Team Manager for the following calendar year. The parents or legal guardians of each registered BYAFL player shall collectively be entitled to one vote in the election of the Team Manager, who shall also serve as the Team's representative within the BYAFL Association for the following calendar year. A majority of the Team members entitled to vote shall constitute a quorum for the meeting. If a quorum is present, the affirmative vote of the majority of the Team members present at the meeting and entitled to vote shall be necessary to elect the Team Representatives. No votes by proxy shall be allowed in the election of the Team Representative.

## **Article III: Meetings**

1. Regular meetings of the Association shall be held once each month, on the second Tuesday of the month, as stipulated by the Board of Directors. Regular meetings may be suspended or changed if the Board of Directors determines it necessary.

# **BRIGHTON YOUTH ASSOCIATION FOOTBALL LEAGUE CONSTITUTION AND BY-LAWS**

---

2. The annual meeting shall be held in the month of January.
3. Special Meetings may be called by the membership upon request of at least five (5) members in good standing, presented to the President of the Board. The request shall state the purpose of the said meeting, which purpose shall be included in the written notice of said meeting. No other business shall be transacted at this Special Meeting. Sixty percent (60%) of members in good standing shall constitute a quorum for the transaction of the business of a Special Meeting. A minimum of three teams must be represented by a member of the coaching staff from each team at all Special Meetings.
4. A Board Meeting may be called by a Board member at any time, with proper notice to the members of this Board.

## **Article IV: Elections**

### Section IV.01: ELECTION OF OFFICERS

1. Nominations for elections will be held in October. Nominees must be present to accept the nomination. Names of candidates can be supplied by a nominating committee, self-submitted, or be made from the floor of said meeting.
2. Elections will be held during the November meeting to elect new Officers or fill vacant offices.
3. Elections will be conducted by individual ballot. Voters must be a member of the BYAFL (See Article 3 section 7). Must be 18 to vote.
4. Officers elected by the membership shall be in place by the January meeting. These officers include:
  - President
  - Vice President/County Rep
  - Secretary/Alternate County Rep
  - Treasurer
  - Sponsorship/Marketing Director
  - Grade Level Director
  - Cheer Director
5. Terms for elected officers shall be two (2) years

### Section IV.02: ELECTION PROCESS

- i. Each candidate will be given five (5) minutes to introduce themselves and deliver a speech stating why they should be considered for the position that they are applying for.
- ii. After each candidate delivers their speech the ballots will be handed out to each member of the BYAFL (See Article 3 section 7).

# BRIGHTON YOUTH ASSOCIATION FOOTBALL LEAGUE CONSTITUTION AND BY-LAWS

---

- iii. Ballots will be counted and verified by all Board Members in open session with total transparency.
- iv. Results will then be communicated to BYAFL and JMFA.

## Article V: Board of Directors

The Board of Directors and the teams shall be governed by the rules expressed by the JMFA and the BYAFL rules for the current year. The Board of Directors and membership shall be governed by Robert's Rule of Order. Terms for elected officers shall be two years. An officer may be reelected if nominated and nomination is accepted. No two offices shall be held in conjunction by a married couple. Two or more Board positions may be combined in one person except President and Treasurer and President and County Representative.

- 1. President:** shall be the chief executive officer of the Association and shall preside over all meetings of the Association, shall appoint committee chairman, handle complaints outside of BYAFL regarding the Association. Will conduct the day to day business of BYAFL.
- 2. Vice-President:** shall preside over all meetings in the absence or disability of the President, and then shall have the powers and duties of the President. Shall be in charge of all matters concerning coaches in particular situations involving game rules.
- 3. Secretary:** shall record the minutes of the meeting in a permanent written record notes and shall submit such minutes for approval at the next meeting at the Board of Directors. Shall surrender any and all records to the President of the Board of Directors upon request. Shall conduct such correspondence as necessary in connection with the business of the Association. Will schedule all weigh-ins with JMFA county Board. Will schedule with JMFA county Board fields for games. Will enforce time keeping of all meetings.
- 4. Treasurer:** shall keep accounts and records of the Association in checking and/or savings accounts and shall render a report to the Association monthly. All checks or withdrawals of funds shall be signed by the Treasurer or the President of the Board or by the Vice President in the absence of the President. They shall furnish such financials statements or information as maybe required by the county board or by US Bureau IRS.
- 5. Sponsorship/Marketing Director:** shall work with the Board on goals and needs of the Association. Shall work on building community relationships, corporate sponsorships, and community involvement. Will find ways of bringing in money to reach the long-term goals of the Association. Coordinates and arranges all fund-raising activities to be conducted by the BYAFL including, but not limited to, business and league sponsorships. All fundraising activities planned by the Sponsorship/Marketing Director will be brought forth to the Board of Directors prior to commencement. All monies go to BYAFL checking account and will be used to maintain, enhance and provide better facilities for the BYAFL organization.
- 6. Head Equipment Manager:** shall coordinate with the President of the Board of Directors and Treasurer as equipment buyer, with all expenditures being approved by

# BRIGHTON YOUTH ASSOCIATION FOOTBALL LEAGUE CONSTITUTION AND BY-LAWS

---

the Board of Directors. Also serves in advisory capacity to the investigation committee when an investigation is in progress.

7. **Field Manager:** Shall coordinate field reservations/permits for practice times with coaches and City of Brighton. Shall assist in storing and keeping inventory of all equipment and shall be in charge of the fields for home games.
8. **JMFA County Representative:** There shall be one representative to attend the meetings of JMFA. (1 Appointed and 1 Board member):
  - a. When possible, the league representative shall represent the majority ruling and report to the Board of Directors and membership.
  - b. League Representative will represent BYAFL in good faith
  - c. All decisions will be brought before the BYAFL prior to final decision. Immediate decisions will be made in good faith for BYAFL's benefit.
9. **Cheer Director:** Shall be in charge of ALL matters involving cheerleaders and their uniforms and equipment. Cheerleaders are voluntary and are NOT a requirement to conduct the game of football. Therefore, cheerleaders are not required to be present at each game.
10. **Concessions/Apparel Director:** Shall be in charge of inventory control of sale items and getting profits to the Treasurer of the Board of Directors, to be deposited in the bank. Duties of the Concession Committee shall be outlined in Appendix B.
11. **Grade Level Director:** Shall work with the individuals selected as grade level committee members. They will handle all coaches/team complaints regarding the Association and pass them on to the Board when appropriate. The committee will be comprised of no less than three individuals assigned to grades and will assist with placement of players

## Article 7: Duties of the Board of Directors

1. To oversee offices of the Brighton Youth Association Football League.
2. Verifying spending and the Finance Report of the Brighton Youth Association Football League.
3. Verify the eligibility of all coaches (including assistant coaches) through a background check.
4. To dismiss officers that are not following BYAFL by-laws or not capable of performing his/her duties for the BYAFL.
5. Any officer may be removed from office with a majority (2/3) vote of the Executive Board.
6. Board of Directors will also set up committees to oversee large purchases and expenditures for the BYAFL.
7. It shall be the duty of each officer, upon completion of their term, resignation, or removal, to turn over all the books and records to the Board of Directors or to their successor.

## Article 8: The Limit of Meetings and Making a Motion

# BRIGHTON YOUTH ASSOCIATION FOOTBALL LEAGUE CONSTITUTION AND BY-LAWS

---

An agenda format will be followed at all times. There will be a time limit of two (2) hours for all regular meetings. If more time is needed, a vote will be taken, majority rules to see if the meeting should be postponed. If more time is needed, the meeting will be adjourned and a new meeting will be called to order by the President of the Board or postponed to another day to finish ongoing business.

When making a motion, the speaker may not be interrupted and any motion that is amendable will be reconsidered and must be supported by a second. If there are any questions, there shall be a time limit of fifteen (15) minutes of discussion. If more time is needed, the motion will be postponed to a later date or tabled to be discussed at a later date.

## **Article 9: Complaints and Offenses**

All complaints, particularly coaches' complaints shall be submitted in writing to the Grade Level Director or the Vice President of the Board of Directors not before 24 hours after incident but no longer than (72) hours from the time of the infraction. A Special Meeting of the Executive Board will be held to review the complaint within one (1) week of the receipt of the complaint if Grade Level Director or Vice President of Board of Directors determines the complaint is valid. An investigative committee will be formed to take action to notify the alleged offender. The investigating committee will be comprised of three (3) members of the Association who are not on the Board of Directors.

The second Special Meeting of the Board of Directors and the investigating committee will be held to review the complaint at which time witnesses and any other information on behalf of the alleged offender may be presented. This meeting must occur no later than ten (10) days or by the second game after the alleged offense. The investigating committee will find the alleged offense to be invalid, minor or major in severity.

The established penalties for minor and major offenses are as follows:

**FIRST OFFENSE MINOR FINDING:** Guilty party will receive a verbal reprimand from the President of the Board to be followed by a written letter.

**SECOND COMPLAINT IN THE SAME SEASON OF THE SAME OFFENSE:**  
Penalties ranging from a warning up to and including dismissal at the discretion of the committee. Repeat offenses will be taken into consideration.

**FIRST OFFENSE MAJOR FINDING:** Guilty Party will receive a verbal reprimand from the President of the Board to be followed by a written letter. Guilty party will also receive disciplinary actions which may include:

- Probation
- Suspension for one (1) or more games

# BRIGHTON YOUTH ASSOCIATION FOOTBALL LEAGUE CONSTITUTION AND BY-LAWS

---

- Suspension for the balance of the season
- Suspension for 365 days from the date of infraction
- Dismissal from the program

Coach Ejections: Any coach who is ejected during a contest will be suspended for the current and next two games and the coach will be fined \$100 by JMFA. The JMFA executive board reserves the right to also require an online or in person coaching education course to be completed in order to return to coaching. The second offense in a two-year period will result in a four-game suspension and the coach will be fined \$250 by JMFA. All fines will be payable by the next contest the coach is allowed to participate in. Any third ejection in a career is a lifetime ban from coaching. No appeals process will be allowed.

Automatic Dismissal and Ban on Coaching: Any coach who throws a punch before, during or after a contest will be permanently banned from coaching. Zero tolerance on such behavior.

In the case of the officers of the Board of Directors being offenders, the same rules and penalties will apply except in the case of impeachment where proceedings will be instigated and procedures in Robert's Rule of Order procedures will be followed.

## Article 10: Coaches Code of Ethics

1. Because both the physical and moral welfare of the players is the primary concern of this Association and its Board of Directors, the following actions will be prohibited:
  - a. Shall refrain from using profanity.
  - b. Physically striking a player as a manner of reprimand.
  - c. Shall avoid the use of alcohol and tobacco products when in contact with players.
  - d. All coaches will abide by any fines and or punishments given to them by BYAFL or JMFA.
  - e. Berating or verbally abusing officials, players, coaches, or spectators is unacceptable and will result in ejection from the facility and suspension the following week.
    - i. Failure to comply will result in another game suspension and or fine by the BYAFL equal to JMFA.
    - ii. Failure to comply a second time will result in suspension for the remainder of the year.
  - f. Any violation of the Coaches Code of Ethics.
2. If any complaint is filed, either by a parent, player or Board member, of a violation of Article XI, that person will be dealt with in accordance with the procedures outlined in Article IX: Complaints and Offenses.

# BRIGHTON YOUTH ASSOCIATION FOOTBALL LEAGUE CONSTITUTION AND BY-LAWS

---

## Article 11: Monetary Issues

All teams are encouraged to raise funds for their respective teams. It is recognized that the funds raised are to be used for the betterment of the *team* as a whole. When raising funds, members are also representing the Brighton Youth Association Football League (BYAFL) and must project a positive image of the BYAFL. All fundraising activities must adhere to the guidelines set forth in the Fundraising Policy and the 501(c)3.

There are two types of fund-raising that dictate how monies generated from such activities should be handled.

1) Selling of products or services – these activities are best characterized by activities such as bake sales or car washes, etc. In these instances, individuals that buy such goods or services are not entitled to receipts for such purchases to be used in claiming charitable tax deductions. Money generated through these activities can be, compliant with IRS requirements, deposited in one or more of the team or parents accounts and used in support of team activities.

2) Monetary Donation - If a company/individual donates to a team and nothing is given in exchange - that donation must be sent- (payable to BYAFL PO Box 1390 Brighton, CO 80601) to the Association - the Association in turns sends a check (the amount of the donation) to the team, along with the Association Tax ID on letterhead for the donor to use to claim a charitable tax deduction.

## Responsibility

1. All monetary transactions relating to fundraising are to be documented in accordance with basic accounting principles and are subject to review by team parents and/or the BYAFL Board. *\*Teams are not allowed to carry funds over to the next seasons.*

## Permitted Expenditures

1. Costs for year end banquets, trophies and awards.
2. Team equipment (i.e. repair kits, mouthpieces)

## Prohibited Activities

1. Establishments that have adult entertainment as their primary business are not to sponsor any team.



# **BRIGHTON YOUTH ASSOCIATION FOOTBALL LEAGUE CONSTITUTION AND BY-LAWS**

---

2. Alcoholic beverages are not permitted as prizes to anyone under the age of 21.
3. Monies raised through fundraising cannot be dispersed to parents

## **BYAFL Sponsors**

1. BYAFL actively raises funds as an Association. As a result, a number of establishments have sponsored the Association as a whole. Teams are not to approach establishments that have sponsored the Association, refer to the BYAFL website for Association Sponsors.

## **Reviews**

1. All fundraising activities are subject to review by the BYAFL Board.
2. The BYAFL Board may review fundraising activities at the request of team parents and/or Board Members.

## **Liability and Penalty**

1. The BYAFL Board shall not be held liable for any violation of this policy.
2. Any team or member who violates the Sponsorship and Fundraising Policy may be subject to penalties at the discretion of the BYAFL Board.
3. Fundraising activities may be revoked or suspended at any time at the discretion of the BYAFL Board.

## **Article 12: Grade Level Director Committee**

Grade Level Directors are a standing committee that will assist with complaints, investigations, and support to coaches, players, parents, and the Association within the associated grade/s. Each year the committee members will be selected during the annual meeting in January. A minimum of three committee members will be selected each year.

## **Article 13: Team Attendance and Requirements**

1. All Teams, represented by their duly elected Team Manager (Article 2, Section 7), will be required to attend all BYAFL meetings. In the event that a Team Manager is unable to attend any given meeting the head coach may assign a designee to attend in their presence at the time of the meeting.
2. Teams with two (2) absences and no designee in one (1) calendar year will have their Head Coach suspended from their team's first home game. This suspension does not include practices. After the suspension, the Head coach must contact the League

# **BRIGHTON YOUTH ASSOCIATION FOOTBALL LEAGUE CONSTITUTION AND BY-LAWS**

---

President to be re-instated. Teams with three (3) absences and no designee in one (1) calendar year will have their Head Coach removed and said coach will not be allowed to coach in any capacity for the remaining season. This is not subject to reversal by the Board. This by-law will be effective after the first coaches meeting to kick off the BYAFL season.

3. If work does not allow a team representative to attend any meetings, common sense will prevail and said representative will be excused. The team will still be required to be represented.
4. The Head Coach and all Assistant Coaches of each team will be CONCUSSION certified. The BYAFL Board of Directors will coordinate a time and place for concussion certification. All Coaches that have documentable Concussion certification will be honored. All Coaches (Head and Assistants) will go through the Heads-Up Training.
5. We highly encourage and recommend that all coaches attend a “General” coaches Clinic each year (i.e. Glazier Clinic)
6. The sole intent of this article is to encourage the participation of all BYAFL members and to assist in the distribution and understanding of pertinent information along with the policies set forth by JMFA and or the BYAFL and in no way intended as punishment.
7. All coaches Head and Assistants will be listed on BYAFL. All coaches will have a background check and Heads Up certification completed prior to the first day of practice. Background checks are good for two years.

## **Article 14: Player Eligibility**

1. All athletes will be required to provide the BYAFL with copies of their birth certificate, current sports physical examination, proof of grade (report card), and a utility bill (current). This should be provided prior to JMFA weigh ins. NOTE: Current sport physical are required by the first day of practice.
2. Participants will meet the grade requirements set forth by JMFA.
3. Players not meeting grade requirements will not be accepted by the BYAFL. All BYAFL participants will compete in their specific grade; this means that no player will be allowed to “play up” or “play down”.
4. All equipment including but not limited to helmet, shoulder pads, practice and game pants as well as other items such as cleats, pads, mouth guards, etc. will be provided by the individual players’ parents or guardian and will be of a quality that is legally approved by the League and Association.

## **Article 15: Registration and Scholarships**

Registration will be conducted on-line at [Brightonyouthfootball.com](http://Brightonyouthfootball.com). Payments are made on-line at the time of registration. Payments should be paid in full at the time of registration, or specified in an agreement made and accepted by the Treasurer of BYAFL. If payment

# BRIGHTON YOUTH ASSOCIATION FOOTBALL LEAGUE CONSTITUTION AND BY-LAWS

---

has not been received by the first day or by the date agreed upon, the player will be suspended from the roster.

**Scholarships** – Those in need of a scholarship need to indicate on Brighton youth football.com registration tab. Current financial documentation is required for submission. All required documentation is required to process the application. BYAFL will cap scholarships at 10% of total registrations. In order to receive a scholarship, the required documentation shall be submitted and received, and a parent contract shall be completed. Parents are required to volunteer 8 hours throughout the season. Help is needed at Camps, Concessions, Carnation Bowl, and any activity that BYAFL or JMFA has a need for.

## **Article 16: Practices**

**ORGANIZED PRACTICE:** A practice is considered organized when a coach or coaches set a time and place for a specific team and require or invite only those players to attend.

See JMFA rules.

## **Article 17: Mandatory Player Count**

Players participating in BYAFL shall participate in every game including playoffs, and the Carnation Bowl, with the following minimum play requirements:

1. All players, regardless of grade (2<sup>nd</sup> – 8<sup>th</sup> grades)
2. Play count totals will be in compliance with JMFA rules, including but not limited to kickoff, kickoff return and extra point conversions.
3. BYAFL will adhere to JMFA rules outlined in section 44 of the bylaws
4. Parent volunteers will rotate weekly, no one parent shall have more than two weeks in a season.

Reasons for NOT participating in mandatory play are:

1. Illness
2. Injury
3. Unexcused absence one practice (or more) per week.
4. Poor school performance as related by the parent.
5. Attitude (justifiable), and
6. Official Ejection

## **Article 18: Available Information**

Copies of the RULES AND REGULATIONS, BY-LAWS, CONSTITUTION OF THE JMFA AND BRIGHTON YOUTH ASSOCIATION FOOTBALL LEAGUE will be kept by each officer of the Board of the Directors; members of the Association may receive copies as requested.

# BRIGHTON YOUTH ASSOCIATION FOOTBALL LEAGUE CONSTITUTION AND BY-LAWS

---

## Appendix A: Conflict of Interest Policy

### Article 1: Purpose

The purpose of the conflict of interest policy is to protect this tax-exempt organization's interest when it is contemplating entering into a transaction or arrangement that might benefit the private interest of an officer or director of the Organization or might result in a possible excess benefit transaction. This policy is intended to supplement but not replace any applicable state and federal laws governing conflict of interest applicable to nonprofit and charitable organizations.

### Article 2: Definitions

1. **Interested Person:** Any director, principal officer, or member of a committee with governing board delegated powers, who has a direct or indirect financial interest, as defined below, is an interested person.
2. **Financial Interest:** A person has a financial interest if the person has, directly or indirectly, through business, investment, or family:
  - a. An ownership or investment interest in any entity with which the Organization has a transaction or arrangement,
  - b. A compensation arrangement with the Organization or with any entity or individual with which the Organization has a transaction or arrangement, or
  - c. A potential ownership or investment interest in, or compensation arrangement with, any entity or individual with which the Organization is negotiating a transaction or arrangement.

Compensation includes direct and indirect remuneration as well as gifts or favors that are not insubstantial. A financial interest is not necessarily a conflict of interest. Under Article III, Section 2, a person who has a financial interest may have a conflict of interest only if the appropriate governing board or committee decides that a conflict of interest exists.

### Article 3: Procedures

1. **Duty to Disclose:** In connection with any actual or possible conflict of interest, an interested person must disclose the existence of the financial interest and be given the opportunity to disclose all material facts to the directors and member of committees with governing board delegated powers considering the proposed transaction or arrangement.
2. **Determining Whether a Conflict of Interest Exists:** After disclosure of the financial interest and all material facts, and after any discussion with the interested person, he/she shall leave the governing board or committee meeting while the determination of a conflict of interest is discussed and voted upon. The remaining board or committee members shall decide if a conflict of interest exists.
3. **Procedures for Addressing the Conflict of Interest:**
  - a. An interested person may make a presentation at the governing board or committee meeting, but after the presentation, he/she shall leave the meeting during the discussion of, and the vote on, the transaction or arrangement involving the possible conflict of interest.
  - b. The chairperson of the governing board or committee shall, if appropriate, appoint a disinterested person or committee to investigate alternatives to the proposed transaction or arrangement.

# **BRIGHTON YOUTH ASSOCIATION FOOTBALL LEAGUE CONSTITUTION AND BY-LAWS**

---

c. After exercising due diligence, the governing board or committee shall determine whether the Organization can obtain with reasonable efforts a more advantageous transaction or arrangement from a person or entity that would not give rise to a conflict of interest.

d. If a more advantageous transaction or arrangement is not reasonably possible under circumstances not producing a conflict of interest, the governing board or committee shall determine by a majority vote of the disinterested directors whether the transaction or arrangement is in the Organization's best interest, for its own benefit, and whether it is fair and reasonable. In conformity with the above determination it shall make its decision as to whether to enter into the transaction or arrangement.

#### **4. Violations of the Conflicts of Interest Policy**

a. If the governing board or committee has reasonable cause to believe a member has failed to disclose actual or possible conflicts of interest, it shall inform the member of the basis for such belief and afford the member an opportunity to explain the alleged failure to disclose.

b. If, after hearing the member's response and after making further investigation as warranted by the circumstances, the governing board or committee determines the member has failed to disclose an actual or possible conflict of interest, it shall take appropriate disciplinary and corrective action.

#### **Article 4: Records of Proceedings**

The minutes of the governing board and all committees with board delegated powers shall contain:

1. The names of the persons who disclosed or otherwise were found to have a financial interest in connection with an actual or possible conflict of interest, the nature of the financial interest, any action taken to determine whether a conflict of interest was present, and the governing boards or committee's decision as to whether a conflict of interest in fact existed.

2. The names of the persons who were present for discussions and votes relating to the transaction or arrangement, the content of the discussion, including any alternatives to the proposed transaction or arrangement, and a record of any votes taken in connection with the proceedings.

#### **Article 5: Compensation**

1. A voting member of the governing board who receives compensation, directly or indirectly, from the Organization for services is precluded from voting on matters pertaining to that member's compensation.

2. A voting member of any committee whose jurisdiction includes compensation matters and who receives compensation, directly or indirectly, from the Organization for services is precluded from voting on matters pertaining to that member's compensation.

3. No voting member of the governing board or any committee whose jurisdiction includes compensation matters and who receives compensation, directly or indirectly, from the Organization, either individually or collectively, is prohibited from providing information to any committee regarding compensation.

#### **Article 6: Periodic Reviews**

To ensure the Organization operates in a manner consistent with charitable purposes and does not engage in activities that could jeopardize its tax-exempt status, periodic reviews shall be conducted. The periodic reviews shall, at a minimum, include the following subjects:

1. Whether compensation arrangements and benefits are reasonable, based on competent survey information and the result of arm's length bargaining.

2. Whether partnerships, joint ventures, and arrangements with management organizations conform to the Organization's written policies, are properly recorded, reflect reasonable investment or payments for

# BRIGHTON YOUTH ASSOCIATION FOOTBALL LEAGUE CONSTITUTION AND BY-LAWS

---

goods and services, further charitable purposes and do not result in inurement, impermissible private benefit or in an excess benefit transaction.

## **Article 7: Use of Outside Experts**

When conducting the periodic reviews as provided for in Article VII, the Organization may, but need not, use outside advisors. If outside experts are used, their use shall not relieve the governing board of its responsibility for ensuring periodic reviews are conducted.

## **Appendix B: Concession Policy**

### BRIGHTON YOUTH ASSOCIATION FOOTBALL LEAGUE CONCESSION STAND POLICY (v.2016)

Effective 2016 Season

1. Concessions will be coordinated by Cheer.
2. Concession inventory and will be maintained by cheer. Cheer will coordinate the ordering, inventory, and pricing of concession goods and will comply with all vendor agreements. Apparel design, physical inventory and website sales will be the responsibility of the Cheer Committee. The Cheer Committee will coordinate payments for inventory purchases and shift work.
3. Concession stand cash boxes/drawers will be maintained by the Cheer committee and BYAFL Treasurer. The cheer committee will meet prior to and after each concessions event with a designated group liaison to review concessions operations and deliver the cash bag. Groups will sign off on cash bag contents and count sales proceeds according to the provided count sheet to ensure accuracy.
4. All Brighton Youth Association Football League (BYAFL) teams, and cheer squads will have the opportunity to earn funds through staffing qualifying event concessions:
  - a. One shift pays a total of approximately \$50 towards the football team, or cheer squad working the concessions event. This amount is subject to change due to number of games on at the fields, but is fully disclosed prior to the event.
  - b. One shift is defined as a 4-5-hour block of time containing three workers; (1) adult worker and (2) student workers or another adult.
  - c. The number of shifts required by each concessions event will be determined by the Cheer committee, based upon the anticipated volume at the event.
  - d. Shifts cannot be broken up into parts to be partially worked. If your group commits to work an event, they must work the entire 4-5-hour shift from start to finish.
  - e. Concession events in whole may be broken up between more than one group at the discretion of the Cheer Concession Committee; for example, if an event required 2 shifts, 1 team can work the morning shift and another can work the afternoon shift. This is not desirable, will be the exception, but may be needed for extraordinary circumstances.

# BRIGHTON YOUTH ASSOCIATION FOOTBALL LEAGUE CONSTITUTION AND BY-LAWS

---

- f. Shift revenue will be deposited into to the BYAFL Concession bank account, and designated to the appropriate football team or cheer squad.
5. Payments will be tabulated, reported, and designated no later than the conclusion of each football/cheer season.
6. Payments will be designated following a team request for designation following guidelines:
- a. Application of funds designation will be completed and sponsored by a BYAFL team or Cheer Squad activity, (for example: team end of year party, team building activities). Individuals are not allowed to participate in designation of funds.
  - b. The request must benefit the entire football team/cheer Squad.
7. The Cheer Concessions Committee will coordinate the staffing of concessions events by publishing a qualifying concessions event calendar prior to the start of the season. Not all games or events will have concessions available. Concessions events assignments will be posted well in advance of the event, at minimum two weeks in advance when possible. The Cheer Concessions committee will designate, assign, and communicate with the groups that have applied for events.

## CONCESSION EVENT SIGN-UP PROCEDURE

1. The Cheer Concessions Committee will publish, post on the BYAFL web site, and email the available concession events on a master calendar to all football teams and cheer squads (notice will be directed to Head Coaches).
2. One identified group liaison will submit to the Cheer Concessions Committee, via email, their request to fulfill a designated shift.
3. The Cheer Concessions Committee will fulfill requests according to published deadlines. In cases where there are more applications than shifts, a supervised lottery/drawing will be used.
4. An email will be sent to team liaisons communicating the schedule and the staffing duties and responsibilities.
5. It is the responsibility of the individuals/team who committed to work a shift in concessions to work. Not fulfilling an assigned obligation to a concessions event will have a negative impact on that group's future ability to be assigned events.
6. The concession events calendar will be updated regularly by email and by posting to the BYAFL website showing what events are filled and open.
7. The Cheer Concession Committee will publish information in the concession stands detailing operating procedures, such as preparation, clean up expectations, and price lists.
8. The individual/team assigned to a particular concession event is expected to staff that same event if the date/time changes during the season for any reason.
9. Failure to fulfill a shift may result in the disqualification from the balance of the assigned concession shifts for that season.

## CONCESSION END OF SEASON PROCEDURE

# **BRIGHTON YOUTH ASSOCIATION FOOTBALL LEAGUE CONSTITUTION AND BY-LAWS**

---

1. The Cheer Concessions Committee will inventory, clean, and secure the concession stand for the winter at the end of the season.
2. The Concession stand equipment will be secured as the stand is used by Platte Valley Soccer League during offseason.
3. The Cheer Concessions Committee or BYAFL Treasurer will report to the BYAFL Board and BYAFL Members (as defined in bylaws) the profits of the concession stand. They will also report the earnings that were paid out to football teams and cheer squads.
4. The procedure for end of season funds that remain in the concession bank account are as follows.
  - a. Start-up funds of \$2,000 will be maintained in the account until the following season.
  - b. Remaining profits will be used for purchasing new equipment, and/or as the Cheer Concessions Committee deems appropriate.

Any changes to this policy must be voted on by members or BYAFL as defined in the bylaws. Notice will be posted of a first reading of any said changes allowing time for discussion at a public meeting of members at a regular meeting of the BYAFL. A second reading and vote will occur in the following month.