

BYLAWS OF BYAA

BERTHOUD YOUTH ATHLETIC ASSOCIATION

ARTICLE I – NAME AND LOCATION

Section 1 - Name

The name of this organization shall be The Berthoud Youth Athletic Association hereafter shown as BYAA and referred to as the BYAA herein.

Section 2 - Location

There shall be a Post Office Box 554, Berthoud, Colorado 80513, at the Post Office in Berthoud, Colorado for all official correspondence. The Executive Board of BYAA shall have full power and authority to select and change the principal office location of BYAA from one location to another so long as said principal office remains within the Town of Berthoud, Colorado.

ARTICLE II – GOALS STATUS

Section 1 - Specific Goals

The purpose of the BYAA is to provide youth athletic programs in the town of Berthoud by organizing and implementing the management, funding, equipping, staffing, and promotion of those programs. The intent of the BYAA is to foster the advancement of youth sports for boys and girls within the Berthoud community and to guard the interest of its participants. The program shall promote good sportsmanship, honesty, and loyalty.

Section 2 - Non-Profit Status

This organization is organized exclusively for the charitable, scientific, literary, or education purposes within the meaning of Section 501(c) (3) of the Internal Revenue Code or corresponding section of any future federal tax code.

ARTICLE III – BASIC POLICIES

The following are the basic policies of BYAA:

- a. The Association shall be comprised of anyone that attends the Berthoud Schools and who's permanent residence is within the Berthoud School District. Anyone residing outside of these boundaries will be considered on a case-by-case basis and subject to the approval of the BYAA Board. Each sports team may have no more than 30% of the participants, which reside outside of the Berthoud School District without approval of the BYAA Executive Board.

- b. No part of the earnings of BYAA shall inure to the benefit of, or be distributable to its members, Directors, trustees, officers or other private persons.
- c. Upon the dissolution or winding up of the corporation, or in the event it shall cease to engage in carrying out the purposes set forth in these Articles, all of the business, properties assets and income of the corporation remaining after payment, or provision for payment, of all debts and liabilities of this corporation, shall be distributed to a non-profit fund, foundation, or corporation which is organized and operated exclusively for tax-exempt purposes which are reasonably related to the purposes of this corporation, as may be determined by the BYAA Board of this corporation in its sole discretion, and which has established its tax-exempt status under §501(c)(3) of the Internal Revenue Code of 1986, as amended. In no event shall any of the business, properties, assets or income of this corporation, in the event of dissolution thereof, be distributed to the Directors, members or officers, either for the reimbursement of any sums subscribed, donated or contributed by the same, or for any other purpose.

Article IV – BYAA Governing Body

The following is the structure of the governing body of the BYAA:

Section 1 – BYAA Board

The BYAA Board shall hereby be considered the governing body of the BYAA. The BYAA Board shall consist of the BYAA Executive Board four (4) individuals, and the BYAA Board of Directors eight (8) individuals. This governing body shall be know as the BYAA Board and hereafter referred to as the BYAA Board.

Section 2 – Executive Board

- a. The BYAA Executive Board shall consist of four (4) Executive officers including the President, Vice President, Secretary/Recorder, and one Board member elected by the BYAA Board.
- b. All Executive Board members except president are voting members of the BYAA Board. In the event of a tie vote where simple majority is required, the President shall represent the tie-breaking vote.
- c. The President must have a minimum of 1 year of serving on the BYAA BOD.

Section 3 – Board Directors

- a. The Board of Directors shall consist of eight (8) Directors; a Director of Equipment and Facilities, a Director of Grants and Fundraising, a Director of Public Relations and Communication, a Secretary/Recorder, a Treasurer, and Directors for each of the sports offered by the BYAA including: a Director of

Football, a Director of Softball, a Director of Basketball, a Director of Baseball, and a Director of Volleyball.

- b. One member from the Board of Directors is elected by the BYAA Board to serve on the Executive Board for the duration of their terms.
- c. All Board of Directors are voting members of the BYAA Board.

Section 4 – Necessary Exceptions

- a. It is the intent of the BYAA to maintain a BYAA Board of eleven (11) members consisting of an Executive Board of four (4-including one elected BOD member), and Board of Directors of eight (8).
- b. In the event that there are not enough individuals who meet the qualifications and are willing to serve all eleven (11) BYAA Board positions. If a position is vacated, the standing BYAA Executive Board may appoint individuals to fill vacant Executive Board and Board of Director positions for the remainder of the vacant position term.
- c. All board members regardless of the number of positions they hold are allowed one vote on all BYAA business.
- d. In the event that any of the eleven (11) BYAA Board positions become vacant the standing BYAA Board shall continue to actively pursue qualified candidates.
- e. In the event that a sport is without a director for more than 90 days the BOD will consider suspending the impacted sport until the time in which a Director can be obtained.

Section 5 - Expiration of Term, Resignation or Termination

- a. Each Board member, upon expiration of his or her term of office or in case of resignation or termination, shall turn over to the President, and/or successor, without delay, all records, books, or other materials pertaining to the office and shall return to the treasurer, without delay, all funds belonging to BYAA.
- b. In the event that a Board member fails to perform the prescribed duties of the office, or, if deemed to be in the best interest of BYAA, the BYAA Executive Board, by majority vote, may declare the office vacant and appoint a replacement to finish out the elected term.

Section 6 – Volunteer Guidelines

Volunteers shall be called in order to provide better focus on individual activities as needed.

- a. Each individual BYAA Director may maintain his or her group of volunteers to help with the operation of that sport or activity.
- b. The government of these specific volunteers will adhere to the Policies and Procedures stated within the Articles of the Bylaws of the BYAA.
- c. Volunteers will be under the strict supervision of the specific Director.
- d. Each volunteer will be responsible for supporting all goals of BYAA.
- e. All BYAA sponsored fundraising activities must be presented to BYAA Director of Grants and Fundraising for approval.
- f. Individual volunteers have no voting privileges at the BYAA Board meetings.
- g. Volunteers may be removed from their position by simple majority vote of the BYAA Board with just cause for removal.

ARTICLE V – Participants

Section 1 – Eligibility

Eligible participants of BYAA shall be parents, guardians, players, coaches, volunteers, which have an interest in and sympathy with the Purpose of the BYAA. To be considered a participant a Parent/Guardian, player, coach, or volunteer, must have actively participated in one or more of the BYAA youth sports activities within one year of current date.

Section 2 – BYAA Board Participation

BYAA Board members are expected to attend all monthly Board meetings and to actively participate in all BYAA Board activities. BYAA Board members who fail to attend two consecutive BYAA Board meetings will be held in violation of BYAA Board participation expectations and are subject to removal from the Board at the discretion of the Executive Board.

ARTICLE VI -MEETINGS

Section 1 - Monthly Meetings

A BYAA monthly Board meeting will be held no less than monthly at a location and time designated by the Executive Board. Notice of these meetings will be posted on BYAA'S website at least seven (7) days prior to the meeting. The first 20 minutes of all monthly Board meetings are open to the public.

Section 2 - Special Meetings

Special meetings can be called at the request of the President or an Executive Board member of the BYAA in the President's absence. These meetings may or may not be open to the public.

Section 3 – Meeting Participation

- a. The privilege of making motions and voting shall be limited to Board members who are present in a meeting.
- b. Any participant of the BYAA, present at the meeting, shall be allowed to address the Board on any matter identified on the meeting agenda. However, the presiding officer, or designee shall be allowed to limit the length of time allotted for discussion on a topic.

Section 4 - Quorum for General Meetings

- a. During general meetings, all Board members may vote by voice as directed by the presiding Board member.
- b. A fifty percent (50%) majority of standing Board members shall constitute a quorum for Board meetings.
- c. A simple majority is required for an issue to pass or fail.
- d. Revisions to the BYAA BYLAWS require a two thirds (2/3) majority of standing Board members to pass.

Section 5 - Special Action

For situations requiring Board action that occur where there is not time to hold a special meeting, an Executive Board member may call for a vote via email on an issue. In this instance, a majority of the standing Board must vote affirmatively for the action to be declared passed.

ARTICLE VII – BOARD QUALIFICATION APPOINTMENT and TERMS

Section 1 – Qualifications

All BYAA Board members shall meet the qualifications prior to appointment as follows:

- a. Must be at least 21 years old.
- b. Must be a resident in the Berthoud School district and or have children attending Berthoud Schools.
- c. Only those persons who are eligible and who have signified their consent to serve, if appointed, shall be appointed to a Board position.
- d. Notification of willingness to serve must be presented in person in a Board meeting prior to appointment.
- e. All candidates must submit to a background check. Any candidate who refuses to either submit to a background check, or who receives an unfavorable background check, will not be eligible to hold a BYAA Board position.
- f. Candidates who receive an unfavorable background check will be notified immediately by the BYAA President and will be given an opportunity to appeal.
- g. A favorable background check will include no felony convictions, and no misdemeanor convictions that would result in a risk of harming the BYAA and its participants.

The BYAA Executive Board reserves the right to deny appointment to a Board position based on any information discovered in a background check in which the BYAA Executive Board perceives an unnecessary risk to the BYAA and its participants. Information learned by the BYAA through background checks is considered highly confidential. The results of all background checks and the information required for background checks will be made available to the Executive Board and may not be disseminated beyond the Executive Board and the individual for whom the background check is being run.

Section 2 - Appointments

All BYAA Board positions are appointed by the standing Board and require two-thirds (2/3) majority approval.

Section 3 –Term of Office

- a. BYAA Board Members shall be elected to serve for a term of two (2) years.

- b. No BYAA Board member shall serve more than two (2) consecutive terms or four (4) consecutive years on the BYAA Board.
- c. In the event that there are no qualified candidates to fill a Board position. The current Executive Board will appoint an interim Board member who will serve until a willing and qualified individual is found for the vacant position
- d. BYAA Board terms shall commence on June 1st and end on May 31st according to their elected years as follows:
- e. Terms shall expire as follows:

Odd Years

- President
- Secretary/Recorder
- Director of Football
- Director of Baseball
- Director of Volleyball
- Director of Grants and Fundraising

Even Years

- Vice President
- Treasure
- Director of Public Relations and Communications
- Director of Equipment and Facilities
- Director of Basketball
- Director of Softball

ARTICLE IX – AMENDMENT OF BYLAWS

BYLAW changes may be proposed at any time by a member of the BYAA Board and must be submitted to the Board for consideration.

BYLAW amendments will require a two Thirds (2/3) majority vote of all standing BYAA Board members.

BYLAW changes will be posted on the BYAA website after they have been approved.