

**Mechanicsville Braves
Football & Cheer
Club, Inc.
BY-LAWS**



Mechanicsville Braves Football & Cheer Club, Inc.
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Mechanicsville Braves Football & Cheer Club, Inc.

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Article I Name

- 1-1 The name of this organization is Mechanicsville Braves Football & Cheer Club, Inc. (MBFCC). MBFCC is a non-profit organization within the State of Maryland and the United States of America. The MBFCC ensures consistence with the requirements of maintaining tax exempt status of the organization pursuant to Section 501(c) (3) of the Internal Revenue Code of 1986; as amended, or any succeeding statute or governing regulation.

Article II Purpose

- 2-1 The purpose of the organization per the mission statement is:
- A. To promote and encourage participation in youth football & cheerleading.
 - B. To promote good sportsmanship while ensuring that proper training, instruction, safety, and equipment are furnished to participants.
 - C. To instruct participants in the fundamentals of football and cheerleading.
 - D. To allow participants to grow as athletes.
 - E. To instill in the participants through leadership the highest standards of sportsmanship.
 - F. To provide a safe environment and equipment for children to participate in football and cheerleading.
 - G. To make a positive difference in the life of a child.

Article III Board of Directors

- 3.1 Board of Directors (BOD) Positions: the listed positions below make up the BOD for the Mechanicsville Braves Football & Cheer Club, Inc. (MBFCC):
- A. President
 - B. Vice President
 - C. Football Commissioner
 - a. Co-Football Commissioner
 - D. Cheer Commissioner
 - a. Co-Cheer Commissioner
 - E. Secretary
 - F. Booster Coordinator
 - G. Treasurer
 - H. Concessions Coordinator
 - a. Co-Concessions Coordinator
 - I. Equipment Coordinator
 - a. Co-Equipment Coordinator
 - J. Field Coordinator
 - a. Co-Field Coordinator
 - K. Parent Advisory Coordinator
 - L. Team Mom Coordinator
- 3.2 Voting:
- A. Board members holding more than one position only get one (1) vote and may only vote once per voting matter.
 - B. The following BOD positions possess the right to vote:

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- a. President, Vice President, Football Commissioner, Cheer Commissioner, Secretary, Treasurer, Concessions Coordinator, Field Coordinator, Parent Advisory Coordinator, Team Mom Coordinator, and Booster Coordinator.
 - C. In the event one of the above BOD is not able to vote, the Co-Commissioner or Coordinator shall vote in their place.
- 3.3 Term:
The President and Vice President shall hold office for a period of three (3) years or until they or their successors are elected. Their term shall begin February 1st of the election year. All other primary and secondary BOD shall hold office for two (2) years unless a board member resigns or is removed for cause. There is no limit on the number of times an incumbent may be re-appointed.
- 3.4 BOD positions:
- A. To become eligible to run for a BOD position, you must have been affiliated with MBFCC for one (1) Year.
 - B. Persons interested in a position must contact a BOD member with their nomination request.
- 3.5 Vacancies:
- A. If there is a vacancy, the BOD shall recruit and appoint a new BOD member to fill a vacancy by a majority vote of the remaining BOD. This new BOD member shall serve the remainder of the term vacated.
 - B. When a board member resigns or is removed for cause, the current BOD shall put forth a motion with 2/3rds majority vote to fill the vacant position or place the position in holding status until the BOD deem it necessary to fill.
 - C. If a BOD member resigns, they must do so in the method of a formal written letter of resignation two (2) weeks prior to vacating their board position.
- 3.6 Removal of Office:
- A. With sufficient cause, the BOD with 2/3rds majority vote, may disqualify a current BOD member from future participation in any or all club activities. In such a case, the BOD shall appoint another person to sit as a voting member of the board.
- 3.7 BOD Compensation:
- A. The BOD shall be entitled to the following compensation throughout his or her term:
 - a. 75% off regular seasons prices for a family member to participate in the sport. Camps and/or other activities are exempt from this compensation. This compensation shall exclude Flex Football/Flag Football (spring).
 - b. Concessions - a tab can be utilized during the day of a home game/event. Tab must be paid in full before leaving for the game.
 - c. All merchandise can be purchased at MBFCC's cost plus an additional \$5.00.
- 3.8 BOD Duties/Responsibilities:
- A. President:
 - a. Presides during all meetings of the BOD and conducts meetings.
 - b. Shall represent MBFCC on all business (not otherwise delegated to or appropriately handled by other BOD) between MBFCC and other entities including the community, outside sports associations/leagues and/or SMYAC.

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- c. Make day-to-day operational decisions regarding the MBFCC football program, including, but not limited to, rule enforcement, scheduling, field assignments, player assignment disputes, and rule disputes.
 - d. Shall perform such other duties as assigned by the BOD.
 - e. Shall not vote on any motion brought before the board unless the result of any vote results in a tie, then he or she may vote only as a tiebreaker.
- B. Vice-President:
- a. Shall fulfill duties of the President upon the President's absence or inability to perform his or her duties.
 - b. Shall communicate regularly with the BOD and head coaches, when appropriate, to facilitate compliance with rules and conduct.
 - c. Shall be the arbiter of rule disputes related to games (that do not amount to a game protest) appealed to him or her.
 - d. Shall perform such other duties as assigned by the BOD.
- C. Football Commissioner:
- a. Shall be responsible for steering the MBFCC's football program.
 - b. Works with the President and Vice President on all issues pertaining to football programs within the organization.
 - a. Ensures all coaches have the proper certifications, background checks, and meet all training requirements.
 - b. Shall monitor the conduct of all coaches and their adherence to the rules.
 - c. Shall serve as the home game field marshal ensuring that each team completes the required MPR form.
 - d. Shall perform such other duties as assigned by the BOD.
- D. Cheer Commissioner:
- a. Shall be responsible for overseeing the MBFCC's cheer program.
 - b. Works with the President and Vice President on all issues pertaining to cheerleading programs within the organization.
 - c. Ensures all coaches have the proper certifications, background checks, and meet all training requirements.
 - d. Oversees all operations associated with the end of the year competition.
 - e. Oversees the conduct of the cheer coaches.
 - f. Manages and maintains equipment dispersed to the cheer teams.
 - g. Communicates all information and events to all cheer coaches.
 - h. Plans summer cheer camps.
 - i. Shall perform such other duties as assigned by the BOD.
- E. Secretary:
- a. Ensures that all meeting minutes are recorded in a format agreed upon by the President.
 - b. Distributes the meeting minutes to the BOD within 1 week (7 days) after each meeting.
 - c. Ensures all club forms football and cheer are updated and distributed prior to the season starting.
 - d. Ensures all concussion paperwork is kept on file.
 - e. Ensures any custody paperwork is kept on file and coaches are notified.

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- f. Maintains list of current coaches, assistant coaches, and team moms and track volunteer badges through St. Mary's Park and Recreation.
 - g. Works with the Treasurer to collect outstanding debts owed to MBFCC.
 - h. Shall perform such other duties as assigned by the BOD.
- F. Booster Coordinator:
- a. Responsible for all sponsorship/fundraising operations.
 - b. Obtains and/or seeks donations from anyone wishing to donate to the MBFCC.
 - c. Plans, organizes, implements, and manages all league wide fundraising programs.
 - d. Ensures sponsorship applications are available all year to any member and/or to our community.
 - e. Determines what sponsors will receive in recognition of their sponsorship each year.
 - f. Creates committees for events with non-board members.
 - g. Communicates fundraising opportunities to committees and assists them in the organization and management of MBFCC functions or events.
 - h. Organizes food, refreshments, and awards during MBFCC functions or events with the help of the Concessions Coordinator.
 - i. Coordinates the set up and oversees the dismantling and removal of events and clearing of the venue.
 - j. Prepares schedules and other print materials for events (i.e., flyers and informational packages).
 - k. Shall perform such other duties as assigned by the BOD.
- G. Treasurer:
- a. Keeps the accounting records of the organization and payouts from the organization's funds.
 - b. Reports account balance at the BOD meetings.
 - c. Prepares and submits year-end financial statements for the organization.
 - d. Prepares financial information for taxes and forwards to CPA by January 31st of each year to include personal property taxes.
 - a. Shall perform such other duties as assigned by the BOD.
- H. Concessions Coordinator:
- a. Coordinates and monitors all game day concession operations.
 - b. Collects all money and receipts from the concession stands on a weekly basis.
 - c. Helps in setting up the work schedule for games using each team and cheer squad.
 - d. Creates and updates weekly inventory of items stocked and what is needed.
 - e. Performs weekly shopping to maintain all food items.
 - f. Shall perform such other duties as assigned by the BOD.
- I. Equipment Coordinator:
- a. Responsible for maintaining all player equipment and notifying the BOD of equipment needs.
 - b. Keep an inventory of all equipment.
 - c. Responsible for all equipment forms.
 - d. Ensures that all safety standards pertaining to equipment are always met.
 - e. Responsible for coordinating all equipment distribution and collection efforts. These efforts shall include but are not limited to, additional hours for distribution,

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- preparation and for fitting "follow up" for players as needed.
 - f. Evaluates all equipment and uniform needs and submits purchase requests to the Board.
 - g. Shall perform such other duties as assigned by the BOD.
 - J. Field Coordinator:
 - a. Responsible for the maintenance of all field equipment.
 - b. Coordinates the painting and set up for all needed fields during all home games.
 - c. Coordinates field clean up at the conclusion of each home game.
 - d. Notifies BOD for any supplies needed for field maintenance.
 - K. Parental Advisory Coordinator:
 - a. Responsible for responding to all parent concerns and complaints.
 - b. Informs the BOD of any situations that are unable to be resolved at the team level.
 - c. Coordinates and recruits parent volunteers as needed for any or all activities.
 - d. Shall perform such other duties as assigned by the BOD.
 - L. Team Mom Coordinator:
 - a. Mentors new team moms through the organization.
 - b. Responsible for communicating/relaying all important information and administrative requirements to all team moms.
 - c. Serves as the primary point of contact for all team moms.
 - d. Assist the Secretary in his or her duties as needed.
 - e. Shall perform such other duties as assigned by the BOD.
 - M. Co-Football Commissioner:
 - a. Assist in all duties as assigned to the football commissioner.
 - N. Co-Cheer Commissioner:
 - a. Assist in all duties as assigned to the cheer commissioner.
 - O. Co-Field Coordinator:
 - a. Assist in all duties as assigned to the field coordinator.
 - P. Co-Concessions Coordinator:
 - a. Assist in all duties as assigned to the concession coordinator
 - Q. Co-Equipment Coordinator:
 - a. Assist in all duties as assigned to the equipment coordinator.
 - R. Alumni:
 - a. An Alumni is a previous board member who can be consulted on board issues, with Board approval.
- 3.10 Contracts or Agreements:
- A. All contracts or agreements that extend longer than the equivalent of the season or off-season must be approved by 2/3rds vote of the BOD and are only to be signed by the current BOD President or BOD designee.
 - B. No BOD member shall sign or enter into any long-term contract(s) or agreement(s) that extend longer than the equivalent of the season or off-season unless otherwise approved by 2/3rds vote of the BOD.
 - C. No BOD member shall make any promises or sign documents to vendors or sponsors that MBFCC will be or is obligated to engage in partnership for longer than the equivalent of the season or off-season.
- 3.11 BOD Responsibilities:

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- A. Must attend a minimum of 75% of all regularly scheduled board meetings.
 - B. Assists with tackle/cheer registration.
 - C. Assists in a minimum of one of the following areas on game day: setup, maintenance of order, concessions/merchandise, or cleanup.
 - D. Must possess a positive attitude, character and dress.
 - E. Shall not publicly voice opposition with BOD or MBFCC.
 - F. Ensure that other members of MBFCC are acting in accordance with MBFCC rules at HOME and AWAY games.
 - G. Be objective when discussing or voting MBFCC issues.
 - H. Responsible for ensuring that information/issues are not disseminated to members, press or public until such time as BOD approves dissemination.
- 3.12 BOD Shall Not:
- A. Name publicly or discuss disciplinary actions against members unless the member makes information public first.
 - B. Publicly speak disparagingly about another BOD member.

Article IV Meetings

- 4.1 Board of Directors (BOD) Meetings:
- A. Shall be held at a minimum of once a quarter and at a time and place chosen by the BOD.
- 4.2 Emergency Meetings:
- A. May be called by the BOD as needed and all of the BOD must either vote in person or via conference call.
 - B. The BOD shall give at least 24 hours advance notice for each emergency meeting.

Article V Membership

- 5.1 Membership:
- A. Includes all parents and/or guardians of paid registered participants. It will also include any Board of Directors (BOD), head coach or assistant head coach affiliated with the Mechanicsville Braves Football & Cheer Club (MBFCC).
 - B. Membership in the organization is good through June 1st of each year.
 - C. Termination of membership of a youth or adult member shall be enacted and enforced by the BOD without refund. The termination will be enacted when an individual no longer follows the philosophy and principles of the organization and it is deemed by the BOD that the individual or family has become detrimental to the growth, reputation or overall benefit to the athletes, coaches, volunteers and/or organization.

Article VI Finance

- 6.1 Fiscal Year:
- A. The Mechanicsville Braves Football & Cheer club (MBFCC) functions on a fiscal year basis. The fiscal year begins on January 1 and runs through December 31 of each year. MBFCC functions primarily through fees collected from registrations, sponsorship donations, and other Board of Directors (BOD) approved fundraising

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activities.

6.2 Annual Fees:

- A. The BOD will approve an annual fee schedule for players associated with MBFCC. The annual fee will be set to help defray organization expenses including those related to field usage, referees, football equipment rental, rental of storage facilities, field equipment, insurance, background checks, and/or any Southern Maryland Youth Athletic Conference (SMYAC) membership fees.

6.3 Bonding:

- A. Surety Bonds shall be furnished by the President, Vice President, Treasurer, and other such BOD as needed. The amount of such bonds shall be determined by the BOD and the cost paid by the organization. Said bond shall be conditioned upon faithful performance by the organization and shall name the organization as the obligee.

6.4 Disbursement of Funds:

- A. The BOD shall approve all disbursement of funds. The BOD shall control all procurement orders and expenditures.

6.5 Sponsorship Donations:

- A. MBFCC may solicit sponsorship donations from persons, businesses, and other organizations. Such sponsorships shall be used to defray organization expenses, to provide financial assistance for participant registrations as needed, or as the BOD otherwise deems appropriate. Any team who uses MBFCC employer/tax identification number shall deliver all donations to the Booster Coordinator and Treasurer for approval, both of whom shall record such funds being captured by that team.

Article VII Coaches, Volunteers, and Other Team Officials

7.1 Head Coaches:

- A. Head coaches have daily personal contact with the community's children, and by definition and tradition, serve as important role models and mentors. Head coaches must be **at least 21 years old**, meet all the qualifications set forth and must have at least one-year relevant coaching experience.
- B. The Board of Directors (BOD) shall interview and approve head coaches' applications and the Football Commissioner shall ensure that the background checks and applications are fully completed and submitted through the organization website. All selections for head coach positions may be reviewed by and, if sufficient cause exists, disapproved by the BOD.
- C. Selected head coaches or an assigned representative must attend ALL mandatory Mechanicsville Braves Football & Cheer Club (MBFCC) coach meetings to ensure proper understanding of organization policies and expectations.
- D. Selected head coaches are required to maintain a current CPR certification or must appoint a certified backup and complete Safety Certification on an annual basis.
- E. All head coaches will be re-evaluated each season.
- F. In addition to the duties assigned; all coaches are required to assist the field coordinators.

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7.2 Head Coaches Compensation

- A All head coaches shall be extended one free regular season participant registration. Camps and/or other activities are exempt from this compensation.

7.3 Assistant Coaches:

- A. Assistant coaches must be **at least 18 years old** and meet all the qualifications set forth.
- B. BOD shall approve all assistant coach applications and the Football Commissioner shall ensure that the background checks and applications are fully completed and submitted through the organization website.
- C. All selections for assistant coach positions may be reviewed by and, if sufficient cause exists, disapproved by the BOD.
- D. Selected assistant coaches must attend all mandatory MBFCC coach meetings to ensure proper understanding of organization policies and expectations.
- E. Selected assistant coaches are required to complete Safety Certification on an annual basis.
- F. All assistant coaches will be re-evaluated each season.

7.4 Volunteers:

- A. All persons holding any position of responsibility within MBFCC shall serve as volunteers without reimbursement except contracted sports officials (referees). The volunteer qualifications shall include:
 - (1) Adult Volunteers:
 - a. Adult volunteers having any contact with children shall meet all qualifications established for the position in question and shall be subject to a background check prior to undertaking his or her responsibilities.
 - (2) Youth Volunteers:
 - a. Youth participants shall assist with the MBFCC's football and cheerleading operations to fulfill his or her high school's community service hours.
 - b. All youth volunteers must be at least fourteen (14) years of age and shall meet all qualifications set forth.

Article VIII Behavior and Conduct

8.1 Members of the board always abide by and conform to the following code of conduct:

- A. Each member of the Board of Directors (BOD) will abide in all respects by the Mechanicsville Braves Football & Cheer Club (*MBFCC*) *Members' Code of Conduct* and all other rules and regulations of the organization and will ensure their membership always remains in good standing. Furthermore, each BOD will always obey all applicable federal, state, and local laws and regulations and will provide the full cooperation of the organization when requested to do so by those institutions and their persons set in authority as are required to uphold the law.
- B. The BOD will conduct the business affairs of the organization in good faith with honesty, integrity, due diligence, and reasonable competence.
- C. Except as required by law, no board member shall share, copy, reproduce, transmit, divulge, or disclose any confidential information related to the affairs of the

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- organization. Each member of the board will uphold the strict confidentiality of all meetings and other deliberations and communications of the board.
- D. The BOD will exercise proper authority and good judgment in their dealings with organizational staff, suppliers, and the general public and will respond to the needs of the association's members in a responsible, respectful, and professional manner.
 - E. The BOD will never use any information provided by the organization or acquired as a consequence of the board member's service to the organization in any manner other than in furtherance of his or her board duties.
 - F. No board member will misuse organization property or resources and will always keep the organization's property secure and not allow any person not authorized to have or use such property.
 - G. Each board member will use his or her best efforts to regularly participate in professional development activities and will perform his or her assigned duties in a professional and timely manner pursuant to the board's direction and oversight.
 - H. Upon termination of service, a retiring board member will promptly return to the organization all documents, electronic and hard files, reference materials, and other property entrusted to the board member for the purpose of fulfilling his or her job responsibilities. Such return will not abrogate the retiring board member from his or her continuing obligations of confidentiality with respect to information acquired during his or her tenure on the BOD.
 - I. The BOD dedicates itself to leading by example in serving the needs of the organization and its members and in representing the interests and ideals of the football and cheer industry.
 - J. No board member shall persuade or attempt to persuade any member of the organization to leave the organization or to become party or entity to any other competing association.
 - K. No board member shall persuade or attempt to persuade any member, exhibitor, advertiser, sponsor, subscriber, supplier, contractor, or any other person or entity with an actual or potential relationship with MBFCC to terminate, curtail, or not enter into its relationship to or with the association, or to in any way reduce the monetary or other benefits to the organization of such relationship.
 - L. The BOD must always act in the best interest of the organization and not for personal or third-party gain or financial enrichment. When encountering potential conflicts of interest, board members will identify the conflict and remove themselves from all discussion and voting on the matter. Specifically, board members shall follow these guidelines:
 - a. Avoid actual or perceived placing of one's own self-interest or any third-party interest above that of the organization; while the receipt of incidental personal or third-party benefit may necessarily flow from certain organizational activities, such benefit must be merely incidental to the primary benefit to the organization and its purposes.
 - b. Social Networking. "Think before you speak, act, type or tweet." Avoid posting material that is defamatory, obscene, profane, threatening, abusive, harassing or targeted toward any person or entity within the organization and its leadership, customers, suppliers, and competitors.

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- c. Do not abuse board membership by improperly using membership, services, equipment, resources, or property for personal or third-party gain or pleasure; board members shall not represent to third parties that their authority as a board member extends any further than to that which it actually extends.
- d. Do not engage in any outside business, professional or other activities that would directly or indirectly adversely affect the organization.
- e. Do not engage in or facilitate any discriminatory or harassing behavior directed toward organization members BOD, exhibitors, advertisers, sponsors, suppliers, contractors, or others in the context of activities relating to the association.
- f. Do not solicit or accept gifts, gratuities, free trips, honoraria, personal property, or any other item of value from any person or entity as a direct or indirect inducement to provide special treatment to such donor with respect to matters pertaining to the organization without fully disclosing such items to the BOD.
- g. Provide goods or services to the organization as a paid vendor to the organization only after full disclosure to, and advance approval by, the board, and pursuant to any related procedures adopted by the board.

8.2 All other participants of the MBFCC are required to sign a Code of Conduct agreement. Members of MBFCC are expected to conduct themselves in an appropriate manner and in accordance with MBFCC By-Laws at all times when at or around MBFCC events. Behavior and conduct that will not be allowed from MBFCC members and may be grounds for disciplinary action include:

- A. Aggressive verbal or physical altercations between parents and coaches, especially when children are present.
- B. Continued or excessive use of cursing, foul, or obnoxious language before, during, or after MBFCC events.
- C. Threatening of any kind.
- D. Use of alcohol at an MBFCC event (unless previously approved by the Board for an event without children).

Article IX Disciplinary Actions

9.1 Discipline

- A. The Board of Directors (BOD) shall be empowered to enforce the By-Laws and other rules of the Mechanicsville Braves Football & Cheer Club (MBFCC). At their discretion, they may request to the President, a review of alleged violations by any MBFCC member. All violations are to be reviewed by the Board and shall be formally documented and submitted to the MBFCC BOD. The President will provide the Board with a description of the violation(s) and upon proper motion with sufficient cause, the BOD may, upon 2/3rds majority vote, determine the proper disciplinary action required for any specific violation(s). Each disciplinary action shall be documented in writing.

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Article X Indemnification

- 10.1 The organization shall pay on behalf of a person who is serving as a member of the Mechanicsville Braves Football & Cheer Club, Inc. (MBFCC) Board of Directors (BOD) any judgments, fines, liabilities, costs, amounts paid or payable in settlement, and expenses (including attorney's fees) actually and reasonably incurred by the member in connection with the defense of any action, suit or proceeding in which they are made a party by reason of having been a member of the BOD, except in relation to matters as to which such person is adjudged in such action suit or proceeding, to be liable for negligence or misconduct in the performance of duty.
- A. A judgment or conviction in any criminal action, suit or proceeding shall not constitute a determination of the person(s) negligence in the performance of their duties to the MBFCC, unless it is deemed so by a majority of the BOD who were not a party thereto.
 - B. Advances may be made by the organization against the costs, expenses, fees, as determined by the BOD. The organization shall pay on behalf of and indemnify a member who is not a board member to the same extent that it does a member of the BOD. The foregoing right of indemnification shall be exclusive of any rights to which any BOD may be entitled as a matter of law or which may be lawfully granted to them; and the indemnification hereby granted by the organization shall be in addition to and not in restriction of limitation of any other privilege or power which the organization may lawfully exercise with respect to the indemnification or reimbursement of BOD and or its members.

Article XI Amendments

- 11.1 Amending By-Laws:
- A. Minor grammatical type changes can be made by the current Board of Directors (BOD) with 2/3rds vote.
 - B. In the event the Mechanicsville Braves Football & Cheer Club, Inc. (MBFCC) organization requests to be removed from the current contract with Southern Maryland Youth Athletic Conference (SMYAC), the BOD shall notify the SMYAC BOD in writing providing justification with cause. Prior to submitting the notification, the BOD must put forth a motion with 2/3rds majority vote to approve such action. Once approved, the BOD shall immediately amend the current By-Laws.
- 11.2 Effective Date of Amendments to By-Laws:
- A. Once adopted, these amendments will take effect immediately and remain in effect for six years. At which time they shall be reviewed.
 - B. The effective date of the amended By-Laws is only subject to change based on the BOD approval to proceed with the actions in which are described in Section 11.1.B.

Article XII Dissolution

- 12.1 In the event of the dissolution of the Mechanicsville Braves Football and Cheer Club, Inc., the Board of Directors will donate all remaining assets to other local non-profit youth football and cheerleading organizations to help promote the sport in St. Mary's County, Maryland.