

**Huntington Beach Pop Warner Inc. By-Laws**  
**Adopted by the Board of Directors**  
**Dated: October 2014**

**Article I**

**Section 1- Name**

This organization shall be known as **"Huntington Beach Pop Warner, Incorporated"**.

**Section 1.1 - Articulation**

This corporation shall be a non-stock, non-profit public benefit corporation, incorporated in the State of California pursuant to Title 1, Division 2, Part 2 of the California Corporate Code. This corporation is not organized for the private gain of any person. "HBPWF" shall be affiliated with the Orange Empire Conference (OEC) and the National Pop Warner Little Scholars (National) organization headquartered in Langhorne, PA.

This Corporation is organized exclusively for charitable purposes within the meaning of Section 501 (c) (3) of the Internal Revenue Code.

No substantial part of activities of this Corporation shall consist of carrying propaganda, or otherwise attempting to influence legislation, and the Corporation shall not participate or intervene in any political campaign, including the publishing or distribution of statements on behalf of any candidate for public office.

The property of this Corporation is irrevocably dedicated to charitable purposes and no part of the net income or assets of this Corporation shall ever inure to the benefit of any director, officer, or member thereof or to the benefit of any private person. Upon the dissolution or winding up of this Corporation, its assets 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 has established its tax exempt status under Section 501 (c) (3) of the Internal Revenue Code.

**Section 2 - Boundaries**

The boundaries of the organization shall be defined as: The city limits of Huntington Beach, Fountain Valley and Westminster, subject to the supervision of OEC.

## **Article II**

### **Section 1 - Objectives**

The objectives of this organization are:

- 1) To inspire young boys and girls in the area to practice the ideals of health, citizenship, scholarship, sportsmanship, and character.
- 2) To give interested young boys and girls an opportunity to participate in an organized and controlled program of flag and tackle football and cheerleading.
- 3) To bring the area youth together by means of a common interest in sportsmanship, fair play, fellowship and competition.
- 4) To impart within these activities, elements of safety and intelligent adult supervision.
- 5) To keep the welfare of each boy and girl first and foremost and entirely free of adult personal gain and glory.
- 6) To act in a manner consistent with the goals, objectives, and purposes of the National organization

## **Article III**

### **Section - Definitions**

- 1.1** Huntington Beach Pop Warner Inc. FEIN 23-1582287 California Corporation #9183 shall hereafter be referred to as "HBPWF"
- 1.2** Pop Warner Little Scholars, Inc., Langhorne, Pennsylvania, shall be hereafter referred to as "National"
- 1.3** The Orange Empire Conference, Inc., shall hereafter be referred to as OEC.
- 1.4** A "Team" - shall be identified as a selected character unit of qualified adult supervisors, registered players, and spirit participation.
- 1.5** The "Board" - shall be identified as the elected, and/or, appointed and approved Board of Directors of "HBPWF".
- 1.6** The "Executive Board"-shall consist of The President, Vice President, The Secretary, The Treasurer, The Athletic Director, The Cheer Coordinator and The Little Scholars Coordinator.

## **Article IV**

### **Section 1 - Membership**

**1.1** Membership in HBPWF shall consist of the following:

- A) Any Board Member
- B) Team staff appointed by the Executive Board
- C) Any child participant, either football player or spirit
- D) Any parent, and/or legal guardian, of a registered player or spirit Participant
- F) Honorary members as noted by the Board of Directors.

And as members are entitled to the benefits and are obligated to fulfill the duties implied by such membership. Those 'members' falling under the classifications listed in 'C' above are non-voting members.

- 1.2** The Board of Directors may levy dues, assessments, or fees upon members. Said dues, assessments, or fees may be identified as a condition of membership.
- 1.3** HBPWF may refuse membership to any person including, but not limited to, coaches, team staff, players, cheerleaders or parents (legal guardians) without cause or reason.
- 1.4** The natural term of membership for players and cheerleaders shall be from the time a valid membership registration form has been submitted (including any required dues, assessments, or fees and any required accompanying forms) (and said registration is accepted by HBPWF) until midnight of January 31<sup>st</sup> of the next calendar year in which the application was submitted. A player or cheerleader may voluntarily resign at any time.
- 1.5** The natural term of membership for the parents and/or legal guardians of players and/or cheerleaders shall coincide with that of said players and/or cheerleaders provided that said parents and/or guardians have completed a membership registration form. A parent and/or legal guardian may voluntarily resign at any time.
- 1.6** The natural term of membership for team staff shall be from the time the Executive Board appoints a person to a team staff position, until midnight of December 31<sup>st</sup> of the calendar year in which the appointment was made. However, team staff may be removed from their team position without cause by means of a simple majority vote of the Board of Directors.

- 1.7** The natural term of membership for Honorary members shall be that Specified by the Executive Board of Directors.
- 1.8** The natural term of membership for Board members shall coincide with that of the term of their office.
- 1.9** The Board of Directors may specify that participation in certain activities is a condition of membership. This may include, but not be limited to, fundraisers and snack bar duty.
- 1.10** Following the rules of this organization, that of the Orange Empire Conference, and that of Pop Warner Little Scholars shall be a condition of membership.

## **Section 2 - Suspension & Dismissal - Membership**

**2.1** Any member of HBPWF is subject to suspension and / or dismissal by the Board upon displaying conduct, or acting in nonconformance with the constitution, by-laws, local laws, and/or rules of HBPWF, OEC, or National, which in the opinion of the Board is determined to be detrimental to the organizations listed, or for failure to fulfill the obligations required or implied by said membership and/or office.

**2.1.1** Evidence of such misconduct or failure to comply with the aforementioned constitutions, by-laws, or rules shall be signed by the charging party(ies) and presented in writing to the President, citing in detail the charge(s) being preferred. The President shall make a reasonable effort to notify the member being charged, of said charges, by the most reasonable means available, within twenty-four (24) hours of his receipt of the charges. Should, for any reason, the member being charged is unavailable for notice, and then the President shall notify as soon as reasonably possible. The member being charged is entitled to a copy of the charges in writing.

**2.1.2** Any member that receives such notification of charges shall have the right to a hearing by the Board within seventy-two (72) hours of the receipt of notification in the name of 'Due Process'. At this hearing, a final decision shall be issued by the Board unless special circumstances prevent such a decision. Should the member being charged require additional time to gather a defense to the charges, She/he may waive this seventy-two (72) hour time frame up to a maximum of five (5) days total.

**2.1.3** Suspension of a member shall require a simple majority vote of a quorum of the Board.

**2.1.3.1** The definition of "Suspension" shall be as defined in the latest revision of the OEC Administrative Regulations.

**2.1.4** Dismissal of a member shall require a two-thirds (2/3) majority of a quorum of the Board

**2.2** Summary Authority - Should a condition exist which is the opinion of the President cannot be allowed to continue such as; safety violations; threats and/or injuries to juveniles, coaches, members or the general public; obvious rule violations; or other actions which adversely affect the image and good name of HBPWF, OEC or National within the community or etc., the President has the summary authority to take whatever immediate short term action that is necessary to stop, alter, change, or not limited to, immediate suspension of any HBPWF member for up to one week, or ordering a game or practice stopped, etc. Any actions taken as a result of the exercise of this summary authority are immediate and are not subject to appeal. Further actions, as a result of the President's use of this summary authority may be addressed by the Board per 2.1 above.

**2.3** Any suspension/dismissal handed down by, or dictated by National or OEC rules or policy, upon and HBPWF member shall be fully recognized and honored by the HBPWF Board. Any recourse afforded the suspended/dismissed member in regards to appeal and due process shall be deferred to the suspending/dismissing organization.

**2.4** Mandated and/or minimum suspension terms for certain violations and behaviors may be addressed elsewhere in these by-laws.

## **Article V**

### **Section 1 - Branches of Government**

**1.1** The only branch of government of HBPWF shall be the Board of Directors.

## Article VI

### **Section 1 - Board of Directors**

- 1.1** The Board of Directors shall consist of: 1) The President, 2) Vice President, 3) The Treasurer, 4) The Athletic Director, 5) The Secretary, 6) The Cheer Coordinator, 7) The Equipment Manager, 8) Publicity Coordinator, 9) The Little Scholars 10) Player Agent 11) The Fundraising Coordinator, 12) The Parent Representative 13) 2<sup>nd</sup> Parent Representative 14) Snack Bar Coordinator 15) Weighmaster, 16) The Webmaster, 17) The Assistant Equipment Manager, 18) Play Safety Coordinator (Assistant Cheer Coordinator.....Assist Cheer Coordinator...)
- 1.2** The terms of office for each Board position shall be two years, beginning on January first of the year following elections and continuing until December 31<sup>st</sup> of the following year.
- 1.3** Each Board member shall have only one vote, regardless of the number of functions that the Board member may be responsible for.
- 1.4** No Board Member may serve on any team as a member of team staff (including but not limited to all team staff positions) unless previously authorized by a majority vote of the Board of Directors. This will be done on a case by case basis as follows: Any individual expressing an interest to hold a board position in tandem with a team staff position shall submit to the Board of Directors said request in writing. Upon review of said request by the Board of Directors, a motion must be passed and seconded before the board may vote to allow the requester to hold dual positions.

### **Section 2 - Duties of Officers**

- 2.1 The President-** Shall see to it all officers perform their duties per these by-laws, shall preside at all meetings of this organization, shall call all meetings that in his/her judgment are deemed necessary. The President shall appoint all committee chairpersons and or any additional committee members as deemed necessary and She/he shall be an ex-officio member of all committees. She/he shall be responsible for the overall operation of this organization and shall, in accordance with these by-laws, and standing rules of this organization, administer disciplinary action up to but NOT including removal of all members of this organization. The President shall be responsible for a direct relationship with Edison High School and the School Board of Huntington Beach to ensure, as a league, we are in good standing and doing our best to be good citizens.
- 2.2 The Vice President-** Shall act as aide to the President and in his/her

absence shall assume the duties of the President. She/he shall serve on committees as appointed. She/he shall be responsible for conveying all necessary information to the team moms and player administrators. She/he shall insure that all individual teams report all team fundraisers to the board. Should the office of President be vacated for any reason during the year, the Vice President shall accede to that office. Shall perform any other duties as assigned by the President.

**2.3 The Treasurer-** Shall keep record of all receipts and disbursements of the HBPWF funds, shall pay all bills, and debts incurred by the Board and the teams accounts; shall deposit and record monies; shall handle any emergency pertaining to financial matters. She/he shall serve on committees as appointed. She/he will prepare a financial report and budget for each board meeting. She/he will prepare for presentation to OEC financial representatives, a financial league report every six months as required by conference rules. She/he shall be a designated signer on all HBPWF bank accounts. A 3<sup>rd</sup> party accountant must be involved in all transactions. Shall perform any other duties as assigned by the President.

It shall be the responsibility of the Treasurer to file any and all Federal and State tax returns, and annual filings. Unless otherwise required by statute, all documents shall be submitted to the appropriate government agency by May 10<sup>th</sup>. These documents shall include, but not be limited to the following:

- A. Federal IRS 990 tax form (including Schedule "A" if Necessary)
- B. California State 199 tax form
- C. California State RRF-1 form (Registration of Charitable Trust)

**2.4 The Athletic Director-** Shall be responsible for assigning players and cheerleaders to their designated teams under direction of the President. She/he shall be responsible for maintaining all team rosters. She/he shall be the direct contact between the coaches and the board of directors. She/he shall serve on all committees as appointed. Shall perform any other duties as assigned by the President.

**2.5 The Secretary (Project Manager) -** Shall keep all minutes of board meetings as well as general meetings in writing and providing a copy to all board members at the beginning of each meeting. She/he shall be prepared to refer to the minutes of previous meetings should the need arise. She/he shall handle all correspondence such as letter writing, mailing of notices. She/he shall be responsible for giving notice of special meetings. She/he shall be responsible for the accurate record keeping and the maintenance of copies of all documents referenced in this paragraph. She/he shall act as the organizations project manager and be directly responsible for the overall project plan. She/he shall hold accountable all board members which have tasks and milestones due and work directly with the treasurer to ensure P/L responsibilities are included. She/he is directly responsible for the day to day

operations. Shall perform any other duties as assigned by the President.

**2.6 The Cheer Coordinator-** Shall be responsible for all aspects of the HBPWF spirit program. She/he shall act as liaison and coordinator between the Head Cheer Coaches and the board. She/he shall assist at all sign-ups, assign all spirit members to the proper teams in conformance with OEC and National rules, organize the spirit participants for opening day ceremonies and other special performances, maintain records of all spirit participants, attend all conference cheerleading/spirit meetings and advise the board and the head coaches of all pertinent information regarding same in a timely manner. She/he shall serve on all committees as appointed. All cheer staff applicants shall be reviewed and approved by the Cheer Coordinator under the direction of the President. All spirit team head coaches shall report to the Cheer Coordinator always keeping in mind the National and OEC policy regarding the interaction between head cheer coach and head football coach. Shall perform any other duties as assigned by the President. (Assistant Cheer Coordinator position needs definition..)

**2.7 The Equipment Manager-** Shall be responsible for organizing, storing, and maintaining league equipment. She/he shall see to it that all teams are issued league equipment as required by National rules and shall be responsible to see that all such issued equipment is returned at the end of the season. She/he shall be responsible for reporting any necessary equipment purchasing needs to the board. He shall be responsible for maintaining accurate records of equipment issued, equipment returned, and equipment purchased at all times. She/he shall serve on committees as appointed. Shall perform any other duties as assigned by the President.

**2.8 The Publicity Coordinator-** Shall be responsible for promoting and advertising for the league and work as chairperson for special activities in the league in conjunction with the President. She/he shall coordinate the publishing of the yearbook (tw: lets discuss). She/he shall serve on committees as appointed. Shall perform any other duties as assigned by the President.

**2.9 The Little Scholars Coordinator-** Shall be responsible for collecting report cards, little scholar applications, etc. and shall be responsible for assuring that all HBPWF academic information gets properly relayed to the conference. She/he shall attend all Conference Little Scholar meetings and report all information to the board and will also be responsible for all matters pertaining to the individual players and their team assignment. She/he shall be responsible to assure that all player registration information is current and up to date. It is the responsibility of the Little Scholars/Player Agent to assure that all "Team Contract Books" are complete and ready for certification. She/he shall serve on committees as appointed. Shall perform any other duties as assigned by the President.



**2.10 The Player Agent** – Shall represent the players at meetings of the Board of Directors. Will organize and conduct the registration of players and entering of data directly into League One. Shall act as the liaison in all disputes between the player (or his parents) and the Board of Directors, Coaches, etc. Shall utilize the Conference Rules and assist the Deputy Commissioners in determining player eligibility. Shall work with the coaches (cheer and football) to recruit athletes within the organizations recruiting plan. Shall perform any other duties as assigned by the President.

**2.11 The Fundraiser Coordinator-** Shall obtain sponsorship for the association from business enterprises and others approved by the Board of Directors. She/he shall also perform other duties as may be required by the Board of Directors. She/he shall serve on committees as appointed. Shall be directly responsible for organizing the following events: Open Day, Closing Day, Picture Day, Golf Ball Drop and other events decided upon by the board. Shall perform any other duties as assigned by the President.

**2.12 The Parent Representative-** Shall assist in parents needs and relay necessary information. She/he shall also perform other duties as may be required by the Board of Directors. She/he shall serve on committees as appointed. Shall perform other duties as assigned by the President.

**2.13 The Second Parent Representative-** Shall assist in parents needs and relay necessary information. She/he shall also perform other duties as may be required by the Board of Directors. She/he shall serve on committees as appointed. Shall perform other duties as assigned by the President.

**2.14 Snack Bar Coordinator-** The Snack Bar Coordinator shall oversee the operations of the league snack bar. This includes, but is not limited to, analysis & audits of purchases and inventories, pricing structures (to maintain a profit) and assisting on creating & enforcing team work schedules. She/he shall also perform other duties as may be required by the Board of Directors. She/he shall perform duties as assigned by the President.

**2.15 Weighmaster-** Shall weigh-in players on game day and monitor the weighing in process. She/he shall also perform other duties as may be required by the Board of Directors. She/he shall serve on committees as appointed. Shall perform other duties as assigned by the President.

**2.16 Webmaster-** Shall be responsible for maintaining and updating the HBPWF website. She/he shall also perform other duties as may be required by the Board of Directors. She/he shall perform duties as assigned by the President.

**2.17 Assistant Equipment Manager-** She/he shall work under direct supervision of the Equipment Manager. In the absence of the Equipment Manager She/he shall be responsible for organizing, storing, and maintaining league equipment. She/he shall see to it that all teams are issued league

equipment as required by National rules and shall be responsible to see that all such issued equipment is returned at the end of the season. She/he shall be responsible for reporting any necessary equipment purchasing needs to the board. He shall be responsible for maintaining accurate records of equipment issued, equipment returned, and equipment purchased at all times. She/he shall serve on committees as appointed. Shall perform any other duties as assigned by the President.

**2.18 Player Safety Coach** - An experienced, credible coach or official that has earned the respect of coaches and parents and is committed to a better, safer game. Strong reputation as a role model for players and responsive to parent questions and concerns. Leadership qualities, specifically related to teaching and interacting with coaches, parents and players. Shows willingness and a commitment to learn best practices and teach them in your organization. Ensure practices are compliant to the heads up standards set by Pop Warner National.

**2.19 ALL Head Coaches** – Shall be allowed to attend all board meetings as non-voting members and be allowed to propose items to the agenda. They are all responsible to adhere to the Roberts Rules of Order for any said board meeting.

**2.20** The immediate past President may be included as a non-voting member of this board to act as an advisor and to assist with any transitional questions as required.

## **Article VII**

### **Section 1- Coaches/Teams**

**1.1** The Head Coach of each team shall be appointed annually by the board. The term for Head Coach shall be from January 1<sup>st</sup> to December 31<sup>st</sup> of the year/season for which they were appointed. Eligibility for Head Coach shall be as defined in National and OEC rules.

**1.1.1** The application for Head Coach must be submitted each year to the board.

**1.1.2** She/he shall participate in the recruitment of new players into the HBPWF program. She/he shall work under the direction of the President and Player Agent for purpose of recruiting and shall adhere to all recruiting rules as governed by the OEC administrative Regulations and National Rules.

**1.1.3** Shall perform any other duties as assigned by the President.

**1.1.4** It is the responsibility of all Head Coaches to read and become familiar with all the by-laws, rules and regulations that govern the activities of HBPWF including OEC and National rules. It is also his/her responsibility

to assure that all selected staff members are likewise familiar. She/he shall act in conformance with and uphold the league by-laws and all rules and regulations set by the league, the conference, and the National organization. She/he shall be responsible for the actions of the staff, the players, the parents, as well as the spectators of their respective teams.

**1.1.5** All Head Coaches shall have a current Red Cross CPR/First Aid card. Failure to comply will result in the Head Coach being relieved of his responsibilities until such time as she/he obtains such certification. The Head Coach is responsible to assure that at least two (2) other staff members also hold current Red Cross certification.

**1.1.6** The Head Coaches shall appoint a minimum of three (3) Assistant Coaches, and other staff as She/he deems necessary, to assist in his/her duties, staying within any published limits as defined in National and OEC rules. The names of all staff must be submitted to the board for approval prior to August 1<sup>st</sup> of the current season. All staff members shall be subject to background investigations as required by National Rules.

**1.1.7** The Head Coach shall be responsible for having as assistant coach or other staff member or appointed adult on the field at all times until all boys and girls from their team have left the field. For out-of-town games, the Head Coach is responsible to assure that all minors who participate on his/her team are accounted for and have been provided transportation from the "away" site.

**1.1.8** The Head Coach is responsible to assure that all HBPWF issued equipment is returned to the Equipment Manager within one (1) week after the teams' last game and prior to the presentation of awards. Players not returning equipment shall not be eligible to play in HBPWF program until all such equipment has been returned or assessed monetary value of said equipment has been paid in full.

**1.1.9** The Head Coach is expected to support and promote the Spirit squad of his/her team and shall make every effort to show said support at all competitions and exhibitions in which they participate.

**1.1.10** Head Coaches, assistant coaches, and other team staff are appointed volunteer positions and are considered as "at will" positions. Notwithstanding provisions as stated in Article IV, Section 2, above, this board may terminate the services of said appointed volunteers in these positions if, in a simple majority vote of the board, it is deemed beneficial to the pursuit of the Objectives of HBPWF to do so. This termination of services shall have no effect on any other aspects of membership status as stated in Article IV, Section 1.

**1.1.11** All team staff appointments shall be subject to the oversight of

the Board of Directors. Head Coaches shall submit staff members to the Board of Directors for approval; such approval is a requirement for installation as team staff. The Board of Directors may remove team staff without cause. The Board of Directors may appoint persons to teams as staff members.

## **Section 1- Teams**

**2.1** The team that is scheduled to play the first game of the day shall have charge of setting up the field. The team playing the last game of the day shall have charge of taking down the field equipment and returning it to the storage shed. Field take-down included clean up of the areas of the field following their scheduled game and/or practice. A fine of \$25.00 shall be assessed to each team not in compliance. (Add Striping of field...)

**2.2** NO CHILD PARTICIPANT SHALL BE TRANSPORTED TO AND/OR FROM ANY GAME OR PRACTICE EXCEPT IN AN ENCLOSED VEHICLE. NO CHILD PARTICIPANT SHALL BE TRANSPORTED IN ANY VEHICLE THAT IS NOT INSURED.

2.3 Each team shall have an appointed Business Manager, Treasurer, Team Parent and Little Scholars representative.

2.3.1 The Business Manager will play a key role on game day. She/he will conduct player weigh-ins, and will determine whether each player from the opposing team may play and has played the mandatory number of plays. They will also ensure that the MPR form is signed by the Head Coach and submitted to their Association President, at the end of each game and/or next team practice. She/he is also directly responsible for all paperwork in the team contract book and to ensure it is able to be certified.

2.3.2 The Treasurer shall manage the team funds, oversee team fundraising and ensure the teams books are in good standing. All reimbursements shall have the approval from the Head Coach and Treasurer.

2.3.3 The Team Parent

- Attend mandatory Team Parent meeting
- Distribute information for picture day/organize the "troops" on Picture day
- Set up game day schedule. Snack, Chain Gang, Scorekeeper for Home Games, Spotter Schedule
- Send out reminder email each week, before games, with location, time, snack assignment, water reminders
- Organize End of Season party
- Last, but never least, be there to assist the coach however possible. Ultimately the coach is responsible for the working of the team. As Team Parent you are their right hand person in regards to anything non coaching. COMMUNICATION IS KEY!!

2.3.4 The Little Scholars Representative shall work with the Little Scholars Coordinator. She/he is directly responsible to gather ALL reports cards for their team and enter the data into a supplied excel calculation sheet. Once all report cards have been entered the data shall be given to the Little Scholars Coordinator. The Little Scholars Representative shall be directly responsible to gather progress reports for those players on Waivers. This position is for both Football and Cheer.

## **Article VIII**

### **Section- Funds-HBPWF**

**1.1** All league checks will be signed and counter signed by at least two (2) of the following board member signatories which shall be included as authorized signatures on record on the current HBPWF bank account:

- A) The President
- B) The Vice President
- C) The Treasurer
- D) The Secretary

**1.2** Procedures shall be put into place to address the handling of all monies within HBPWF. Included in such procedures shall be provisions for oversight by the Treasurer and or Secretary.

**1.3** No member shall receive any compensation for any services rendered this organization.

**1.4** In the event the office of Treasurer becomes vacant at any time after the first meeting in January, an audit shall be performed immediately by persons appointed or contracted by the board.

**1.5** If any funds, equipment, or other assets are donated to any individual or group or to any team of members of a team, under the auspices of the HBPWF, then HBPWF shall be entitled to take possession of said property at their option. All donations or purchases shall be by the approval of the board prior to any team or member of a team receiving such donations.

**1.6** In the event of the dissolution of the HBPWF, following the payment in full of all existing debts and obligations, the assets, property, and finances, as well as any proceeds resulting from the sale of said assets and properties, shall be donated to any legally recognized non-profit organization dedicated to the betterment of youth, as determined by a majority of the remaining voting board members. The recipient of said transfers shall be held exempt from liability actions resulting from any previous HBPWF sanctions or debts.

**1.7** Only those persons noted in item 1.1 above shall be entitled to direct funds of the corporation. This section shall not inhibit the Board of Directors, by simple majority vote, to also direct funds of the Corporation. Further, the Board of Directors, by simple majority vote, may order that funds not be

directed for a specific purpose. Baring a vote of the Board of Directors, the President shall have final authority over the direction of funds of the corporation.

**1.8** HBPWF shall balance their budget by year end December 31<sup>st</sup> of the current calendar year.

**1.9** Basic financial reports need to be posted on the snack bar end of each month during the season. These reports shall include current revenues by fundraising activities, snack bar, registration fees, league expenses and corporate sponsorships.

HBPWF

## **Section 2- Funds-Team(s)**

**2.1** There shall be no separate "Team" accounts or segregated funds. All team money and receipts shall be turned into the HBPWF Treasurer and or Secretary for accounting and all Team expenditures shall be paid by HBPWF issued checks. All monies collected from team snack bar and team fundraising activities shall be turned over to the Treasurer and or Secretary at the first practice following the week of the event.

**2.2** Each Head Coach/Team shall support league fundraisers. Non-support may justify an assessment of funds as determined by the board or suspension. League fundraisers are mandatory.

**2.3** All team funds shall be the sole property of the Corporation. The term "funds" as used herein, shall include, but not be limited to: Cash, Monies in Bank Accounts, Hypothecations, Equity, Securities, and Commodities, negotiable and non-negotiable instruments.

## **Article IX**

### **Section 1- Parliamentary Authority**

**1.1** *Roberts Rules of Order* (latest Edition) - shall govern the proceedings of all meetings except where they are non-consistent with these by-laws and/or the rules and regulations of OEC or the National organization.

- Call to order
- Approval of minutes
- Commissioner Report
- Association Business
- Treasurer Report
- Cheer Coordinator Report
- Report from committee
- Unfinished business
- New business
- Adjournment

**1.2** The Board will provide an opportunity for members to have communications with the Board at the commencement of a meeting subject to the time limits of the chair.

## Article X

### **Section 1-Meetings**

**1.1** Meetings of the board will be determined by the President. There shall be at least one (1) meeting per month from January to December of the current year at a place designated by the current board or the President.

**1.5** Board members that miss two (2) consecutive Board meetings shall be dismissed unless such absences have been excused by the President (or the presiding officer)

**1.6** Special meetings of this organization may be called by the President or by a simple majority vote of the board and business shall be limited to the agenda for which the special meeting was called. All board members shall be notified within forty-eight (48) hours of any such special meetings.

### **Section 2- Quorum**

**2.1** For purpose of conducting the board's business, a quorum shall consist of a simple majority of the Executive board

**2.2** Each Executive Board member shall be entitled to one indivisible vote. Except where expressly provided for otherwise in these by laws, the outcome of all votes shall be determined by a simple majority vote.

## Article XI

### **Section 1- Elections**

**1.1** Elections for the selection of members of the HBPWF Executive Board shall be held every 2 years, no later than the first Saturday following the first Thursday in November. (Thursday prior to OEC Cheer competition...Pep Rally...) The current Executive Board shall notify the membership as to time and location of the election.

**1.2** A Nominating/Election committee shall be appointed by the board on or before September 1<sup>st</sup> of the current year. The Nominating committee shall consist of at least three (3) voting board members (excluding the President). Nominations/Applications for board positions shall be required to be turned into the Nominating committee at least forty-eight (48) hours prior to the last meeting in October of the current year.

**1.3** The list of nominees shall be presented to the board prior to the pep rally.. Prior to presentation to the board, all nominees shall be contacted by the chairman of the nominating committee to verify that the nominee is aware of the duties associated with the position that they were nominated for



and that the nomination is being accepted by the nominee.

All candidates, regardless of position, must meet the following requirements:

- a. Any person who has had disciplinary action taken against them, by the Board or Conference, during the current year shall be deemed an ineligible candidate. This shall include, but not be limited to suspension for 2 consecutive weeks or more, ejection from a game or practice, or notification of improper conduct by the Board.
- b. Only applicants in good financial standing with Huntington Beach Pop Warner Inc. will be considered eligible candidates.
- c. The Nomination Committee reserves itself the right to note any other reasonable cause for identifying a candidate as ineligible.
- d. The Nomination Committee shall have the right to review the eligibility, as described herein, of successful "write in" candidates, and if necessary nullify ballots for the "write in" candidates determined ineligible (nullification of said ballots shall only be for the affected position(s)).
- e. Only members in good standing shall be identified as eligible candidates.

**1.4** Elections shall be by secret ballot with the candidates listed in random order. Each adult member shall be entitled to one indivisible vote per office which is open for election. Ballots cast with multiple votes per office, or that are not decipherable as to which candidate received the vote shall be nullified for the affected offices.

**1.5** A quorum of votes shall not be necessary to conduct an election. However, all adult members of HBPWF shall be afforded the opportunity to vote within the time frame specified by these bylaws and the Executive Board of Directors.

**1.6** Any eligible candidate receiving the most votes for a specific office shall be declared the winner of that office. Ties will be resolved by the flip of a coin.

**1.7** The installation of officers shall take place during the first board meeting in January of the following year.

**1.8** In the event of a vacancy in any office of the board, (except the office of President)- see Article VI, Section 2, para. 2.2 & 2.3), then:

**A)** The President shall appoint a candidate to fill the office subject to ratification by the board.

**B)** Ratification of the appointment shall be by a simple majority vote

of a quorum of the board. (this vote may be taken by secret ballot).

## **Article XII**

### **Section 1- Liability**

**1.1** HBPWF accepts no liability or responsibility for any indebtedness incurred without HBPWF sanction.

**1.2** No member of the board of HBPWF, collectively or individually, shall be liable for properly sanctioned HBPWF debts.

## **Article XIII**

### **Section 1- Amendment or Repeal**

**1.1** Any section of this document may be amended, revised, or replaced in part or in whole by a two-thirds (2/3) majority vote of a quorum of the board.

**1.2** Notice to all board members shall be provided at least five (5) days prior to the meeting wherein such changes are on the agenda for discussion.

**1.2.1** For the reasons of fair review and deliberation, the vote to approve such changes may not be conducted until seven (7) days following the meeting referenced in 1.2 above.

## **Article XIV**

### **Section 1 – Team formation**

The HB Pop Warner Football and Cheer Athlete Selection process allows Head Coaches to be directly responsible in building their respective teams per the articles listed below. The mechanics of the Athlete Selection process allows each team to be competitive and select athletes that best fit their schemes and team direction. It is part of the league's ideology to best pair athletes/parents with a coaching staff that best benefits that athlete. Athletes are selected on a team and not placed by agenda or politics. The selection process also prohibits "stacking" of teams, where one team has all the top tier athletes. It's within our league's charter to develop and maintain a competitive program by supporting and enabling Head Coaches to deliver the program at the highest quality.

## **Terms**

"Organic Team": Teams are bound to the nucleus of a give group of individuals that will remain a team regardless of their respective coach.

"Track": Ability to continue moving up division by division with their "organic team"

"Pool": Athletes who are not assigned to a team will be place in a pool for their respective division. Division selection will be based on Pop Warner National Rules.

"Shed": Ability of head coach to place rostered athlete into the "Pool"

"Freeze Pick": To reserve an athlete who is not part of any organic team when such agreement has been made by the athlete and head coach.

"New Athlete": Any athlete who hasn't participated in the previous calendar year in HB Pop Warner Football or Cheer.

"Executive Committee": Athletic Director, Athlete Safety Coach and President. Additional members of this committee can be added by order of the President of the League.

## **Articles of Selection**

- I. Roberts Rules of Order will be in play during the athlete selection process. Any violation of such rules will require immediate dismissal from the event and the executive committee will assign athletes to your roster based on the delta of the athlete selection.
- II. The Athlete Selection activity will have over sight of the Executive Committee.
- III. Three Athlete Selection dates will be established: 1) Mid-June of that season calendar year. 2) Mid-July of that seasons calendar year. 3) Mid-August of that season calendar year. This draft is only for athletes on the waiting list.
- IV. June is a mandatory Athlete Selection and all head coaches for the division selecting must be present. In the event that you will not select athletes, you must still be present. Athlete trades must be completed by end of event.
- V. July is an optional Athlete Selection for those teams with full rosters. Athlete trades must be completed by end of event.
- VI. August will give each head coach the option to add athletes on the waiting list to their respective teams. No Trades are allowed.

- VII. In the event there is multiple Division 1 and / or 2 teams, there will be a straw draw or coin flip to establish the respective athlete selection order.
- VIII. Division 1 teams will select 2 athletes and can exit once their respective team reaches 24 athletes. If by selecting 2 athletes the roster will exceed 24 athletes then 1 athlete may be selected; however, this is optional.
- IX. Division 2 teams will select 1 athlete and can exit once their respective team reaches 35 athletes.
- X. In no event will any Head Coach, or adult member of a team, contact and recruit athletes, coaches or parents from another team. Any such violation may dismiss that Head Coach from all Athlete Selection activities and the board will assign athletes to the team based on the delta after the event has concluded. Standard protocol of contacting another Head Coach to ask permission to speak is the acceptable practice. (I.e. When a Head Coach knows an athlete is going to be shed that information can be given to another Head Coach in order to gain a better understanding of the athlete, family and/or circumstances.)
- XI. A player allocation "special case" can be made into effect when the following criteria has been made in its entirety: 1) A Upper or Lower Division coach contacts a head coach regarding a player wishing to move up or move down a division. 2) A local association waiver has been filled out and signed by the originating (The current player division) head coach and destination (requested division) head coach. 3) Originating and Destination can't be the same division. 4) The waiver MUST be signed by all Head Coaches in the destination division for the said player.
- XII. A Head Coach is only allowed 4 "special case" player selections per calendar year. The cost of each "special case" player selection will be accounted for during the round robin player selection committee. If a Head Coach pre-selects 4 players, then that coach will use his/her first 4 player selection picks.
- XIII. Protests will be allowed during the preamble of the Athlete Selection Activity and at the conclusion. The Protest must come as a motion and acknowledged by the league president. All Protests must be resolved at time of selection and must be resolved by conclusion of the athlete selection.
- XIV. Head Coaches kid(s) that sign up to play football or cheer will automatically be assigned to their given team if within the age / weight class per Pop Warner National Rules. This is a free pick and will not count against their selection count or order.

- XV. Each Head Coach is allowed 4 Freeze Picks. Freeze Pick Process: the athlete must be signed up, meet the age /weight requirement per Pop Warner National rules and did not play the previous year in HB Pop Warner. If an athlete is transferring to HB on a waiver he/she is eligible to be frozen.
- XVI. Once the draft has concluded, teams within the same division, regardless of status (i.e. Div 1 or 2), will have the ability to trade athletes.
- XVII. An athlete is assigned to a team roster from time of draft until the following calendar year player selection.

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