

**PORTAGE POP
WARNER FOOTBALL
ASSOCIATION, INC.**



CONSTITUTION and BYLAWS

THE CONSTITUTION

ARTICLE I: NAME

ARTICLE II: OBJECTIVE

ARTICLE III: GOVERNING BOARD

ARTICLE IV: GOVERNMENT

ARTICLE V: PARTICIPATION

ARTICLE VI: FINANCIAL OPERATION

ARTICLE VII: UNIFORMS AND EQUIPMENT

ARTICLE VIII: GRIEVANCE POLICY

ARTICLE IX: ADULT BEHAVIOR POLICY

ARTICLE X: REMOVAL FROM OFFICE

ARTICLE XI: THE ASSOCIATION

ARTICLE XII: AMENDMENTS

Constitution Signature page

ID Information

BYLAWS

ARTICLE I: BOARD MEMBER DUTIES

ARTICLE II: ASSOCIATION MEETINGS

ARTICLE III: SELECTION OF HEAD COACHES AND ASSISTANTS

ARTICLE IV: TEAMS

Bylaws Signature Page

Bylaws updates: Feb - 2020

THE CONSTITUTION

ARTICLE I: NAME

Sec. 1 – This organization shall be known as the ***PORTAGE POP WARNER FOOTBALL AND CHEER ASSOCIATION*** or **PPW** is hereinafter referred to as the ***Association***.

ARTICLE II: OBJECTIVE

Sec. 1 – The Association’s objective will be to implant firmly in the minds of the boys and girls participating in football, cheer and dance, the ideas of good sportsmanship, honesty, loyalty, courage and reverence in order to assist them to become clean, educated, healthy and trustworthy citizens as directed by Pop Warner Little Scholars Inc.

Sec. 2 – The purpose will be achieved by providing supervised activities, scholastic eligibility requirements, promoting the objectives set forth to mold our participants into future men and women being the prime focus, whereas winning on the field and floor becomes secondary.

ARTICLE III: GOVERNING BOARD

Sec. 1 – The Board Members shall be made up of the following:

- (a) The Elected Executive Board positions are:
 - i. President, Vice President, Treasurer, Secretary, Cheerleading Director, Safety Director and Business Manager.
- (b) Executive Positions will agree to serve their full 2-year term.
- (c) If requested, the outgoing President may be included on the Board of Directors the following year; as a non-voting Administrative advisor.
- (d) Additional At-Large members:
 - i. Any position deemed necessary by the executive board which might include: Fundraiser Chairperson, Scholastics Director, Equipment Manager, Event Coordinator, Social Media Director, Player Placement Director
 - ii. At-Large positions may be added during January meeting ($\frac{2}{3}$) vote of the Executive Board.
 - iii. On request, the President may appoint additional Associate Directors with approval by a two-thirds ($\frac{2}{3}$) vote of the Executive Board.
 - i. Associate Directors will not have a vote during elections.

ARTICLE IV: GOVERNMENT

Sec. 1 – The government of the Association shall be under the supervision of the elected Executive Board Members.

Sec. 2 – The following officers will constitute the **Executive Board Members** and be elected for a two (2) year term of office – President, Vice President, Treasurer, Secretary, Cheerleading Director Safety Director and Business Manager. All officers are eligible for re-election to any and all offices of the Association as the Executive Board Members may deem appropriate through due process to determine that they are qualified to fulfill.

Recommended: Executive nominees serve as At-Large position for at least 1-year prior to an Executive commitment.

- (a) The terms of office for an elected officer of this association shall be for 2 (two) years and shall run from January 1st through December 31st.
- (b) Elections for the offices of President, Treasurer, and Safety Director shall be held on even numbered years. Elections for the offices of Vice-President, Cheer Director, Secretary and Business Manager shall be held on odd numbered years.

Sec. 3 – The following Board Positions will constitute the **At-Large Board Members** and will be nominated and approved by the Executive Board Members by January 15th and will serve for a one (1) year term of office Fundraising Chairperson, Equipment Manager and any additional secondary positions nominated the Executive Board within a given year.

Sec. 4. - Non-Disclosure; All Board members must agree and sign confidentiality policy/ non-disclosure agreement to protect proprietary information of a business. Agreement will restrict board members from sharing the Association's member's personal information pertaining to health, financial, or legal information and with anyone.

Sec. 5 – Elections

- (a) The President will appoint a committee of (3) members in good standing to secure nominees for the elected offices before Dec 15th of each year.
- (b) These members shall be any returning Executive members; President, Vice President, Treasurer, Secretary, Cheer Director or Safety Director and at least (1) other member delegated by the President.
- (c) Committee members must not be on the ballot.
- (d) To be eligible for nominations candidates must be an active member and in good standing with the Association.
- (e) Volunteer applications from all interested candidates to fill Executive positions will be presented to the Board Members. After the board reviews each application the board will vote on each position to be filled.

Sec.6 - Voting

- (a) Voting for executive positions will be done by paper ballot to be held at the December board meeting.
- (b) A majority vote of the board will be required for the election of any board position.
- (c) Only Members in good standing are eligible to cast a vote.
- (d) Board member must have attended a minimum of seventy-five percent (75%) of the meetings for in the current year or seventy-five percent (75%) of board meetings after which a member was appointed to be permitted to cast a vote in an election.

Rev. 01-18-2020

- (e) The President shall appoint three (3) active Directors as election tellers. The duty of the election tellers is to count the ballots and report the election results to the President. No teller may be on the ballot.
- (f) The election tellers shall immediately count the ballots and shall certify the results to the President before adjournment of the meeting. The results of the election will be announced by the current President at the conclusion of the meeting. The ballots shall be presented to the Secretary for recording and verification.
 - (i) Voting by proxy is not permitted. Absentee ballots will be allowed. The absentee ballot shall be sealed in an envelope and given to the Secretary prior to the election date.
 - (ii) In the event an Executive Board member were to run for another seat on the Board and were to lose, that member would retain the seat he/she originally occupied until his/her position is available for re-election.
- (g) All elected Board Members will assume their duties January 1st. All material from the previous year will be turned over at that time.
- (h) All expiring positions will be presented to the public for nominations before week 7 of each season and will be voted on by the newly elected board prior to January 15th each year.
 - (i) *The President, Vice-President & Cheer Director may hold the position of Football or Cheer Head Coach only with approval (2/3) vote of the Executive Board.*

Sec. 7 - The Board will appoint Members to fulfill vacant or a vacated positions except the office of President for the current term. It will be the responsibility of the Executive Board to present a list of nominees for each vacated office to the Board Members.

- (i) A vacated President position will be filled by the Vice President until end of season. After the season a special election will be held in order to fill the remainder of President's term. Special election will only be held during odd numbered years if President's position is vacated mid-term.

ARTICLE V: PARTICIPATION

Sec. 1 - Any youth that meets the requirements set forth by Pop Warner and the Association will be eligible to become a player member/participant.

Sec. 2 – Football players, Cheerleaders, Dance members, Parents or Guardians of such will be required to join the Association, and will be assessed dues as set forth by the Board. **Registration fees paid to the Association will be considered as dues. Membership is per household and each registered participant will be assessed a registration fee as set forth by the Bylaws.**

- (a) Girls and boys participating in the Association will be considered to be player members, as opposed to active members, and will have no vote on Association matters. No dues will be charged to player-members for membership. (This is not to be construed as preventing a registration fee assessment to be levied to cover expenses for entry into any nationwide organization, insurance costs, uniforms, or other bona fide expense as decided by the Association.)
- (b) All member fees, dues and team expenses are due and payable prior to the first day of the season (normally August 1st).
- (c) There will be no refund of Registration Fees AFTER a participant has been certified by the NIPWLS Conference to participate in the Portage Pop Warner program.

Sec. 3 – All members shall abide by the Constitution and By-laws of the Association.

Sec. 4 - Active members and participants shall perform any reasonable service required to remain in good standing. Active members will have no vote on matters to be carried out by governing board. Active members are eligible to file grievances, present arguments, issue statements, request information and volunteer for board positions at any time to assist the board in its duty to govern.

Sec. 5 – The Board, by a two-thirds ($\frac{2}{3}$) majority vote at any duly constituted meeting will have the authority to censor and/or suspend any member whose conduct is considered to be detrimental to the best interest of the Association.

Sec. 6 – When directed by the President, members of the Board will, upon evidence of any misconduct of any youth, notify the head coach of the team of which the youth is a member, within twenty-four (24) hours of the act. Suspensions may be issued with the approval of two-thirds ($\frac{2}{3}$) majority vote at any duly constituted board meeting.

ARTICLE VI: FINANCIAL OPERATION

Sec. 1 – The Executive Board Members will decide all matters pertaining to the financial operation of the Association. Funds of the association shall be kept in a checking account(s) that may draw interest. The Executive Board shall designate which financial institution funds are kept.

Sec. 2 – All Association income will be placed in one common treasury and maintained through a bank checking account. The treasurer shall deposit all monies in said account within five (5) business days after the receipt. No Petty Cash Fund will be permitted to be set up and all receipts must be kept on file.

Sec. 3 – No individuals, members, or teams will be permitted to solicit money for any reason without prior written permission of the Association.

- (a) When the Executive Board Members give approval, all monies collected for any purpose will be turned over to the Treasurer. Any and all disbursement checks will be issued by the Treasurer for approved expenses.
- (b) Three (3) signatures shall be kept on file with the bank. The President, Cheer Director and Treasurer. If the association is operating without the President, Cheer Director or Treasurer for any reason, the fourth signature on file will be that of the Secretary.

Sec. 4 – All checks must be approved/co-signed by at least two (2) of the following persons: President, Cheer Director, Secretary, and Treasurer. The checkbook is to remain in the hands of the Treasurer. No checks may be written or issued without the consent of the Treasurer.

Sec. 5 – The Executive Board Members must approve **ALL** Association expenditures.

Sec. 6 - An Audit of the Association's financial records will be conducted by the Audit Committee.

- (a) Treasurer and two (2) directors nominated by the president will serve on committee.
- (b) Results of an audit are to be reported at the next scheduled board meeting.
- (c) Audit must be completed by December 31st of each year.
- (d) Alternatively, the audit can be conducted by an independent accountant.

Sec. 7 - Any team(s) qualifying to attend a national competition would be allowed to solicit donations to assist in the funding of the trip. All funds must be turned in to the Treasurer for accountability, prior to distribution.

- (a) There may be a separate bank account(s) for any Traveling Fund.
- (b) Travel Fund money raised by an individual participant who is not intending to travel or becomes ineligible to travel, will then be reallocated to the general travel fund and dispersed at the discretion of the PPW Treasurer.
- (c) Travel fund money can be transferred to the general account with Executive Board approval, if Portage Pop Warner's general account has insufficient funds to pay outstanding bills of PPW.
- (d) No rollover funds will be permitted from the general travel account, if (1) one or more teams qualify for Nationals then funds must be dispersed evenly to ALL teams travelling to Nationals. If there are no teams that qualify these funds may be kept in Travel fund account for disbursement the following season.
- (e) Football and Cheer travel fund accounts are permitted to be kept separately and will be dispersed at the discretion of the Treasurer with the approval of the Board of Directors.

Sec. 8 - A bond shall be purchased to protect the funds and property of the Association. The board members with access to those funds must be covered by this bond and it must be renewed annually.

ARTICLE VII: UNIFORMS AND EQUIPMENT

Sec. 1 – All uniforms and playing equipment is the property of the Association. (The Association may at its discretion allow part or all the uniform to be kept by the player) All equipment donated to an individual team automatically becomes the property of the Association.

Sec. 2 – Players and their parents must be instructed that they will be accountable for replacement of any lost, damaged or destroyed equipment. Parents will be required to sign a financial responsibility agreement before any equipment will be given to the player.

Sec. 3 – The Head Coach will be responsible for the issuance of and return of all uniforms and equipment at the end of each season. Failure to ensure return of Equipment will result in removal from the Association.

ARTICLE VIII: GRIEVANCE POLICY

Sec. 1 - The purpose of this section is to provide parents and coaches with a process for handling complaints and disputes hereafter referred to as grievances. This policy establishes the process for submitting grievances to the Board. Grievances will not be heard at any higher levels (HLA, Regional or National) unless the following procedure is followed.

- (a) If a parent or coach has a dispute with a coach, assistant coach, participant or another parent, they are encouraged to first attempt to resolve the issue with the Head Coach of the team through discussion.
- (b) If it cannot be resolved within the team, then the Football Commissioner should be contacted for any football related occurrences and the Cheer Director for any Cheer & Dance related matters.

- (i) The Football Commissioner /Cheer Directors will make every attempt to resolve the issue through discussion. If this discussion fails, the complainant will be provided and instructed to fill out a grievance form. All grievances must be submitted in writing to the Executive Board for review.
- (c) Executive Board will review and investigate any written grievances. A written response must be provided to complainant within 10 days of board receiving notice of the grievance. The Associations investigators will make every attempt to resolve the grievance at the Association (town) level before escalation.
- (d) If the grievance cannot be resolved it will then be submitted to the HLA (our governing league) by the Executive board for review.
- (e) The written Grievance Form must be made readily available to all members of the association and all grievances must be kept on file.

ARTICLE IX: ADULT BEHAVIOR POLICY

Sec. 1 - At any Pop Warner event, practice or competition, any adult who: 1) verbally abuses; 2) attempts to intimidate; 3) is flagrantly rude, or 4) cannot control their language or actions with an official, coach, or Pop Warner volunteer will be asked to leave the Pop Warner event. He or she will receive a written warning regarding their behavior. His or her child(ren) will be immediately removed from the Pop Warner event.

Sec. 2 - Any adult that commits a second similar offense will be banned from Pop Warner events for the remainder of that season and their child(ren) removed from Pop Warner for the remainder of that season. Association may refund registration fees on a prorated basis for percentage of the season remaining if deemed necessary.

Sec. 3 - Any adult who physically assaults an official, coach or Pop Warner volunteer will be banned from Pop Warner and their child(ren) removed from the Pop Warner program for one (1) year from the date of the offense. HLA will be notified and the child(ren) may not participate in another Pop Warner Association during the sanction period. After one year, the parent may apply for reinstatement of his or her child. If the adult commits a second offense, she or he will be permanently banned from Pop Warner and the child(ren) removed from permanently from Pop Warner. The term physical assault includes, but is not limited to: hitting, slapping, pushing, spitting, kicking or striking in any way with any part of the body or any physical implement.

ARTICLE X: REMOVAL FROM OFFICE

Sec. 1 – Any elected or appointed board member, Head Coach and other members may be removed from office, position or association by a three fourths ($\frac{3}{4}$) majority vote of the entire Executive Board. This vote will be taken by secret ballot in a closed executive board meeting. A minimum of three fourths ($\frac{3}{4}$) of the entire Executive Board must be present to allow a vote for removal from office or position.

ARTICLE XI: THE ASSOCIATION

Sec. 1 – ASSOCIATION SHALL BE NON-PROFIT. All assets are the sole property of the Portage Pop Warner association, Inc.

PORTAGE POP WARNER LITTLE SCHOLARS
FOOTBALL ASSOCIATION CONSTITUTION

Rev. 01-18-2020

Sec. 2 - If challenged, the Executive Board shall reserve the right to determine the intent and interpretation of the PPW Constitution and By-Laws.

Sec. 3 - The Executive Board shall be responsible for the selection and purchase of all association Equipment, including uniforms.

Sec. 4 - The Executive Board shall be responsible for obtaining safe storage for all association Equipment during the off-season. When in storage during the off-season, all equipment must be covered with suitable fire and theft insurance.

Sec. 5 - The Executive Board shall be responsible for securing and selecting terms of insurance for the association.

Sec. 6. - Upon dissolution of Association all funds and assets will be dispersed to pay any and all outstanding balances accrued by the association. Any funds and property remaining after debts are paid will be allocated to NIPWLS for disbursement for use in benefiting other Pop Warner programs.

ARTICLE XII: AMENDMENTS

Sec. 1 - Suggestions for Amendment to the Constitution must be presented to the Executive Board for consideration. On such amendments, the Board of Directors shall discuss the amendments at three (3) consecutive meetings and be voted upon at the third meeting.

Sec. 2 - Hard copies of all previous and new revisions must be signed and kept on file with the Executive Board. All changes should be noted with date(s) of the revisions.

PORTAGE POP WARNER LITTLE SCHOLARS
FOOTBALL ASSOCIATION CONSTITUTION

Rev. 01-18-2020

This Constitution must be reviewed and accepted by the Portage Pop Warner Board of Directors annually. Any Constitutional changes must be done via: **ARTICLE XII: AMENDMENTS.**

Reviewed Date: _____

President's Name (Print) _____

President's Signature _____

Secretary Name (Print) _____

Secretary Signature _____

ASSOCIATION INFORMATION

Federal ID No. : EIN - 35-1833879
State ID No. : 007424019-000
State Business ID No.: 201707201205680
Pop Warner Tax ID No. 23-1582287, Group 9183
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