

**West Clermont Soccer Club**

**CONSTITUTION AND BYLAWS**



# Update: May 1, 2014

## Version: 2.0

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#### Revision History

Version	Date	Author/Reviewer	Changes/Comments
1.0		WCSC Board	Original

# **CONSTITUTION**

## **ARTICLE I NAME**

The name of the organization shall be the West Clermont Soccer Club.

Tax EIN - EIN Assigned: **82-4662425**

## **ARTICLE II PURPOSE**

The West Clermont Soccer Club is a non-profit organization dedicated to the operation of a recreational soccer program designed to positively influence as many of the members of the community as possible. Through our program we teach the youth of the community the concepts of good sportsmanship, fair play, and honesty for the betterment of their physical and social well-being. These skills will benefit the youth throughout their lives.

## **ARTICLE III AFFILIATION**

The Club, where and when feasible and appropriate, shall be affiliated with recreation commissions, boards, leagues, county, state and/or national Clubs within the normal operational boundaries.

## **ARTICLE IV SITES OF OPERATION / PARTICIPATION**

The principal operation of this Club shall be within the West Clermont School District, allow participation by any resident thereof. General participation by the Club shall be in Southwest Ohio. Participation by non-residents of West Clermont School District may be allowed if approved by the Executive Council of this Club, any similar Club where the participant lives, and any governing organization that the Club is affiliated. Permission to participate as a non-resident will be considered on an individual case basis every year.

## **ARTICLE V POWERS**

The Club shall have the following powers in addition to the powers expressly or implicitly conferred on it by law.

1. To make and enforce rules and regulations to govern itself on a local basis.
2. To set team fees, solicit sponsors and contributions, receive gifts, bequests and devices from any person, firm or corporation, and administer such fees, gifts and devices on behalf of this Club.
3. To enter into contracts, and to buy, sell, lease, rent, and hold property.

## **ARTICLE VI MEMBERSHIP & VOTING RIGHTS**

Any parent or legal guardian, who has a child registered in a soccer program sponsored by the Club, and any coach, assistant coach, or administrative official, regardless of whether he or she has a child in the program, constitutes membership.

Membership entitles an individual to one vote on general issues and in the election of officers, as well as the opportunity to be nominated and elected as an officer, provided all obligations have been met.

Issues concerning player rules and/or expenses associated with players, teams, and league operation shall be voted on by the Club's governing body. Such voting requires a quorum of said body to be present.

## **ARTICLE VII GOVERNING BODIES**

The governing body of this Club shall be an executive council.

The executive council shall provide overall guidance and coordination of programs. The executive council may adopt such rules and regulations for the conduct of its meetings and the management of the Club as it may deem necessary. Final authority rests with the executive council.

The executive council shall consist of a president, a vice president, a secretary, a treasurer, and a district representative. The president, vice president, secretary, treasurer, and district representative shall be chosen from the membership at large in the January meeting each year or as needed when a vacancy develops. They shall be considered elected upon winning an election as set forth in the by-laws. Installation of these persons into office shall take place after that meeting by transfer of duties. No person may hold one of these positions for more than two consecutive terms, except if there are no other willing candidates and  $\frac{2}{3}$  of the membership agrees, or if a person has been appointed to fill an unexpired term and serves less than six months, he or she may be elected to two full terms.

An executive council member absent from three consecutive meetings (regular or special) may be subject to dismissal from office. A new member is appointed by the executive council to fill the remaining term of office.

## **ARTICLE VIII COMMITTEES & OFFICIALS**

Committees may be founded and/or officials appointed by the executive council as deemed necessary.

## **ARTICLE IX MEETINGS & QUORUMS**

Meetings of the executive council will be held on a regularly scheduled basis and as needed. A quorum shall be a majority of the executive council members.

Committee chairpersons and appointed officials should attend these meetings.

Meetings of the executive council are open to the general membership of the Clubs.

A 3/5 majority vote by the general membership may overrule executive council actions, with the exceptions of discipline and grievance committee sanctions, which would require a 3/4 majority vote.

## **ARTICLE X DISCIPLINE & GRIEVANCES**

A discipline and grievance committee will be formed. The discipline and grievance committee will have authority to suspend and/or ban players, coaches, and members of the Club.

Executive committee members may be removed at any time for actions, which are deemed detrimental to this Club. Removal shall be a 2/3 affirmative vote of the executive council.

The executive council will be the final review board for all appeals.

## **ARTICLE XI AMENDMENTS**

Amendments (additions, subtractions, revisions) to this constitution and/or bylaws must be presented to the executive council. The executive council will review the proposal; if a majority of the executive council votes affirmatively, they will present the proposal in an executive council meeting to be reported to the general membership. Open discussion will be held at the next regular executive council meeting. A vote of the general membership may take place at that same meeting or at the next regular executive council meeting if there is any desire to wait (this would be shown by a motion, second and majority affirmative vote to wait). An amendment will be adopted by a 2/3 majority vote of the members present at the appropriate executive council meeting.

If an amendment is not recommended by the executive council, it may be brought to the membership for an opportunity to be considered. To bypass the executive council in this fashion, the amendment must be a 3/4 majority affirmative vote of the membership at a regular executive council meeting. It would then be sent to the general membership and discussed and voted on for final adoption as described in the previous paragraph.

## **ARTICLE XII BY-LAWS**

A set of bylaws shall exist along with this constitution. Their purpose is to implement into everyday practice the provisions of this constitution.

Additions and/or amendments to the by-laws shall be reviewed by the by-laws committee and shall be adopted by the method set forth in Article XI of this constitution.

### **ARTICLE XIII GENERAL PROVISIONS**

Upon adoption of this constitution and bylaws, an election for the executive council positions of president, vice president, secretary, treasurer and district representative shall take place at a meeting, which has been scheduled and announced to what would become the general membership of this organization. The term of office for those elected officers shall be from that point until the January meeting in the following calendar year at which time there will be a regular election as provided in the constitution. This time period (election to January) will constitute one term of office unless it is less than a six month period, which will result in it not counting as one term.

Upon adoption of this constitution and bylaws and upon being elected, as described in the preceding paragraph, the executive council president shall call a meeting of the new executive council members and the persons who had been performing those duties prior to the adoption of this constitution and election. This meeting shall be to facilitate and transfer of materials and information for the new officers to assume their duties.

The Club as set up under this constitution and bylaws, recognizes and accepts responsibility for any and all obligations and debts incurred by the Club as it existed before under adoption of this constitution and bylaws.

### **ARTICLE XIV RATIFICATION**

The vote to ratify this constitution and bylaws shall be held at a meeting, which has been scheduled and announced to what would be the general membership of this organization. A  $\frac{2}{3}$  majority vote of those present (person who would ratify as a member under Article VI of this constitution) shall be necessary for ratification. The provisions of this constitution and bylaws shall become effective immediately after receiving the required vote to be ratified.

## **BY-LAWS**

### **EXECUTIVE COUNCIL**

The executive council will conduct regular meetings in January, April, July, and November. They call other meetings as needed.

The members of the executive council have equal voting rights.

A quorum for meetings will be three members. (Over fifty percent, if any positions are vacant)

The executive council will establish a three person committee to review yearly financial records and reports.

The executive council will conduct organization business with political entities.

The executive council must approve and submit recommendations for non-resident participants.

The executive council may appoint committees to carry out functions for the executive council.

Duties of the executive council members shall include, but are not limited to:

**President -**

- Shall assume full responsibility for the operation of the Club
- Shall make non-elected office and committee appointments, with the approval of the executive council
- Shall be the assistant district representative
- Shall have the power to cancel meetings and will contact each member of the executive council
- Shall assign and be responsible for all keys
- The executive council shall audit the treasurer's books or have them audited on a regular basis, preferably annually.

**Vice President**

- Shall preside in the absence of the President
- Shall carry out such duties as may be delegated by the President and/or executive committee
- Shall be in charge of the Discipline and Grievance Committee
- Shall be in charge of team formation
- Shall serve on the by-laws committee

**Secretary**

- Shall keep accurate records (minutes) of regular and special meeting attendance, by-laws, constitution, terms of office, committee assignments, etc
- Shall be chairperson of the registration committee

**Treasurer**

- Shall prepare a financial statement for all regular meetings and special meetings as directed by the executive council
- Shall keep a suitable set of books
- Shall submit a year-end statement covering all expenditures and receipts
- Shall upon direction of the executive council pay fees to CCSA and pay all bills due during the course of regular club activities, etc.
- Shall sign all checks
- Shall prepare a budget with the help and approval of the executive council
- Shall be a member of the planning committee
- Shall be responsible for the lease and renewal of any leases

**District Representative**

- Shall attend all CCSA (Clermont Central Soccer Club) meetings and relay all pertinent information to the Clubs such as rule changes and date of league activities
- Shall cast a vote on behalf of the Club in the CCSA meetings
- Shall sign rosters and relay them to the league Vice President.

**Referee Coordinator:**

- Shall assign referees for the games
- Shall, with the district representative, schedule make up games
- Shall attend county referee meetings
- Shall evaluate referees; shall recruit referees and provide information concerning clinics
- Shall be responsible for referee records and coordinate with the treasurer for payment of the referees.

The executive council will serve as the final appeal board for discipline and grievance committee actions. Any executive council member involved in the situation from the disciplinary committee being brought before the council will not participate as a member of the appeal board. All members must be present to conduct appeal hearings. If all members are not available due to being involved in the appeal, the council will appoint a person(s) from the general membership, who is not involved in the appeal, to serve on the appeal board for that particular hearing only. A  $\frac{2}{3}$  majority vote shall be necessary to overturn a discipline and grievance committee decision.

The executive council must approve fund raising endeavors.

The president, vice president, secretary, treasurer, and district representative shall be elected at the January meeting by a vote of the members present. A majority of the votes cast for those nominated shall be needed for election, if there are two candidates. If there are more than two candidates, a plurality of votes shall be necessary for election. The term of office shall be for one calendar year. No person may serve as president, vice president, secretary, treasurer, or district representative for more than two consecutive terms. The exceptions to this shall be if a person is appointed to finish a term and serves less than six months in the office, he/she may be elected to two regular terms; or, if no willing candidate is present and  $\frac{2}{3}$  of the voting members agree, a person may be elected exceeding this limit. A person will be eligible for election to office if they have been out of said office for at least one term. Vacancies in these positions in mid-term will be filled by appointment and majority vote of the remaining executive council members.

## **COMMITTEES**

Committees shall have three to five members. They shall be appointed by the president with the approval of the executive council. This number shall include the chairperson if mandated by the by-laws. If no chairperson is mandated or appointed specifically by the president, the committee may choose their own leader.



**Special Event Committee:** Shall be responsible for the planning of and carrying out of special events. Some of these are Youth Soccer night, Homecoming Parade participation and Team Pictures.

**Registration Committee:** Shall be responsible for making or obtaining from CCSA and distributing registration forms. Shall conduct any sign up times deemed necessary. Shall work with the executive council or its designee to have all information prepared for team formation (the draw).

**Planning Committee:** Shall set goals for the Club.

**Bylaws Committee:** Shall keep and update Club bylaws as needed on an annual basis; shall review any proposed changes in the by-laws.

**Field Committee:** Shall have fields ready for practice and games; shall coordinate necessary maintenance on the soccer complex; shall call work days as needed; shall oversee mowing; shall be responsible for emptying trash; shall oversee and control parking.

**Coaching Committee:** Shall recruit persons to coach teams who are of good moral character and are interested in: working with children, being a positive role model, learning and teaching the fundamental and laws of the game and helping children interact with others in a positive fashion.

**Coaches Review Committee:** Shall evaluate coaches. This not to be a judgment of winning or losing games, but an assessment of teaching the rules and fundamentals of soccer, being a positive role model, etc. This committee should operate in as constructive of a manner as possible.

**Discipline and Grievance Committee:**

1. Shall be responsible for investigating reported acts of misconduct by players, coaches, or spectators. Such acts may include but are not limited to: violent conduct, abusive language, or repeated acts of unsporting conduct. These acts may or may not have resulted in ejection from or abandonment of a game by a referee.
2. Shall be responsible for setting forth minimum penalties and, if necessary, conduct informal hearing with the individual(s) involved.
3. Shall receive, investigate and react to complaints, protests and/or appeals in accordance with the prescribed league guidelines and regulations.
4. Shall be chaired by the vice president.

**Discipline and Grievance Procedure:**

1. Disciplinary issues and grievances will be reported to the Discipline and Grievance Committee. The committee will review and investigate the issues and will decide and inform the recipient of the official penalty and/or sanction. Upon receipt of the

committee's decision, the recipient will be allowed an opportunity to appeal the penalty decision. If an appeal is made, a hearing will be set.

2. If a hearing is to be held, it should be held as soon as possible, within five days of the filing. The complainant and other parties of the complainant's choosing will be allowed to present evidence or argument. The person(s) whose decisions or actions are being complained of or appealed will also be heard. The committee will render a decision within three days and notify the parties concerned, in writing.
3. If the parties are dissatisfied with the decision, it may be appealed to the executive council. The appeal must be filed within seven days of notification of the discipline and grievance committee's decision. The executive council will meet as an appeal board within seven days of the filing. Decisions of the executive council will be final. The executive decision will be rendered within three days of the hearing, in writing.

It is the right of all Club participants / members to access this procedure in a correct and timely fashion. Failure to observe these procedures is unfair and unjust. Safeguarding of the rights and procedures must be paramount to all Club administrators.

Parties not receiving proper notification or given full access to the procedures MUST be given additional time before the hearing may proceed. Failure to obtain due to satisfaction with these requirements is grounds for an automatic appeal. It is suggested that all paperwork be sent by certified or registered mail to insure compliance and proof of delivery.

All executive committee members and disciplinary and grievance committee chairpersons should have copies of the discipline and grievance committee procedures to pass along to any complainant at any given time.

**NOTE:** The due process procedures afforded here do not affect existing protest procedures involving game situations as set up by the league(s) being played in.

#### APPOINTED OFFICIALS

**Concessions Manager:** Shall manage the purchasing and selling of goods; shall handle all monies dealing with concessions and coordinate with the treasurer procedures to be followed; shall prepare an annual financial report to be submitted to the treasurer; shall keep inventory of all concession equipment and supplies; shall oversee the care, repair, and replacement of equipment with the approval of the executive council; shall keep equipment and the concession stand clean and in sanitary condition; shall coordinate with the teams the schedule for working in the concession stand.

**Coaches:** Any person who is of good moral character may be considered qualified to coach. All coaches must be at least eighteen years old, must attend required coaching clinics and related training, must be approved by the executive council; shall abide by all governing rules; shall display good sportsmanship at all times; shall make sure field is ready for play; must have a roster, game ball, first aid kit, medical release forms for each player at each game; shall meet with the coaches review committee. Not all coaches may be approved. Coaches that have

coached any age group in the past may choose to stay with that age group and not graduate to the next age group at the end of the season. The board has all final say on whether someone is able to coach and may turn coaches away for any reason. All coaches must abide by both CCSA and WCSC Codes of Conduct. Coaches shall receive approval from the executive council for any fund raising activities.

## FEES

The executive council shall, after hearing recommendations from the treasurer, set the registration fee amounts for the season.

Hardship cases that cannot pay the registration fee will be considered by the executive council in a nonpublic meeting. Hardship cases should be brought to executive council by the treasurer and/or the coach. The person(s) involved may meet with the council if they desire, but would not be required to do so. Coaches will receive a \$25 discount for all children who play for the West Clermont Soccer Club, payable as a credit placed onto the main account after the season in which they coach. All board members of the West Clermont Soccer Club children will play free of charge.

Each team within the Club may be assigned specific hours to volunteer in the concession stand. This requirement must be met by each team assigned. Failure to provide concessions workers when assigned will result in a fine being assessed to the team by the Club to cover the cost of employing someone to run the stand. This fee may change upon approval from the Executive Council at the annual meeting. The current fee that will be assessed is \$50. This fee must be divided between all members on the team.

All tournament fees will be paid by the Club. Each team has the right to choose whether they will participate in the league tournament. If they choose not to participate, they must notify the district representative, who would forward that information to the league, before the league deadline for notification.