

PLEASANT VALLEY YOUTH ASSOCIATION
Established May 1, 2003
Constitution and By-laws Amended 2003, 2007, 2010

ARTICLE I – NAME

SECTION 1. The legal name of this organization shall be the Pleasant Valley Youth Association, hereafter referred to as PVYA.

SECTION 2. The mailing address of the organization shall be, Pleasant Valley Youth Association, P.O. Box 485 Brodheadsville, PA 18322-0485 (2007)

ARTICLE II – PURPOSE

SECTION 1. The Pleasant Valley Youth Association is a non-profit volunteer organization, which is dedicated to organizing and supporting youth sports and social programs within Pleasant Valley School District to give the children positive opportunities in order to remain active and involved in community programs. Through teaching a sport/activity, PVYA will use that opportunity to help build character and self confidence among its participants. The PVYA is a non-governmental agency. The PVYA does not report to, nor is it part of any township agency. The PVYA reports solely to its membership. The PVYA will work together in a mutually exclusive arrangement with other sports groups and community organizations.

SECTION 2. To encourage the development and use of the school and municipal buildings and grounds for recreational, educational and social purposes.

SECTION 3. To further recreational, educational and social programs for the residents of the Pleasant Valley School District.

ARTICLE III – POLICIES

SECTION 1. This association shall be noncommercial, nonsectarian and nonpartisan. This association shall not endorse a commercial enterprise. The name of the association and names of any members in their official capacities shall not be used in any connection with a commercial concern or with any partisan interest, or for any purpose other than the regular work of the association.

SECTION 2. No member or officer shall use this organization for personal gain.

SECTION 3. No religious discussion shall be allowed at meetings of this association.

ARTICLE IV – MEMBERSHIP

SECTION 1. PVYA shall be comprised of children, who participate in any of the athletic or other affiliated programs or events. Also, Parents, Guardians, Siblings, Coaches, Board Members, Committee Members, Commissioners and any person who attends practices, games, meetings, activities or otherwise participates in attending or supporting the PVYA hereinafter are all considered "Members." A Member who is over the age of 18 and has been present at the Board meetings for fifty-percent (50%) of the year or more will be a "voting member".

SECTION 2. Any participating dues paying organization interested in the purposes of this association and willing to uphold its policies and subscribe to its by-laws and who are approved by a majority vote of the

Officers of the PVYA.

SECTION 3. When carrying out PVYA business/activities, members must represent the organization, its rules and bylaws, in a positive manner.

ARTICLE V – OFFICERS AND THEIR ELECTIONS

SECTION 1. OFFICERS.

a. The officers of this organization shall be a President, a Vice-President, a Secretary, a Treasurer and a Member at Large.

Officers shall be elected every two years by majority vote of voting members in the month of December. If there is but one (1) candidate for any office, it shall be in order to move that the Secretary cast the elective vote of the Association for the nominee.

b. The privilege of holding office shall be limited to voting members who are residents of Pleasant Valley School District.

c. In order to be elected to the position of President or Treasurer, the nominee must have held the position of Vice President, Secretary, Commissioner or a Committee Chairperson for one year prior to the election. The Vice President and Secretary automatically fulfill this requirement if a vacancy occurs in another office.

d. Officers shall assume their duties at the regular meeting in January and shall serve a term of two (2) years or until their successors are elected. In the absence of volunteers for a nominating committee, the secretary shall accept "REQUESTS TO BE NOMINATED" and "NAMES OF INTERESTED PARTIES" and present them at the November meeting.

SECTION 2. NOMINATIONS

a. Nominations for officers shall be made by the "NOMINATING COMMITTEE". In the absence of a nominating committee, the current slate of officers of the organization will serve as the nominating committee.

b. The nominating committee shall report at the November meeting the names of known candidates for each office to be filled. The consent of each candidate must be obtained before her or his name is placed in nomination.

c. Additional nominations may be made from the floor provided the consent of each candidate has been obtained before her or his name is placed in nomination.

d. In the event a candidate cannot be present at the November meeting a "LETTER OF CONSENT" shall be acceptable.

SECTION 3. VACANCY

A vacancy occurring in the office of Vice-President or Secretary shall be filled by a vote of the members of the Association at the next regular meeting, due notice of such election having been given by the President. In the case of a vacancy in the office of President, the Vice-President shall assume the office of President, and at the next regular meeting a new Vice-President shall be elected. In the case of a vacancy in the office of Treasurer, the Vice-President assumes the duties of the Treasurer until a new Treasurer is elected at the next regular meeting.

ARTICLE VI – DUTIES OF OFFICERS

SECTION 1. The President; shall preside at all meetings of the Association. Shall be a member exofficio of all committees except the Nominating committee. Shall perform all other duties usually pertaining to the office.

SECTION 2. The Vice-President; shall act as an aide to the President. Shall perform the duties of the President in the absence of that officer. Assumes the duties of the Treasurer in the absence of that officer.

SECTION 3. The Secretary; shall keep a record of all meetings of the Association. Shall keep attendance in the absence of the membership chairman.

SECTION 4. The Treasurer; shall receive all monies of the Association. Shall keep an accurate record of the receipts and expenses. Shall pay out funds only as authorized by the Association. The officers of the PVYA without membership approval may make routine, emergency or critical expenditures of less than \$500. The treasurer shall present a treasurers report at every meeting of the Association and at other times when requested by the President. Shall make a full report at the December meeting. The Treasurer's accounts shall be audited bi-annually by an audit committee of three (3) members of the association and annually by an independent outside accounting firm to conduct this audit annually in December.

SECTION 5. Member at Large; shall be a member of the community that can assist in the overall operations of the organization. This position should be held by an attorney, an accountant, or any other member of the business community, so as to be an individual with a different vantage point when deciding PVYA matters.

SECTION 6. Board of Directors shall vote on all issues concerning the PVYA.

ARTICLE VII — MEETINGS

SECTION 1. A regular meeting of the Association shall be held each month, at a date, time and place determined by the membership. The President, with sufficient notice having been given, may call special meetings of officers, commissioners, and chairman. Meetings may be re-scheduled at the option of the officers due to special circumstances.

SECTION 2. Not less than three (3) members including one (1) officer shall constitute a quorum for the transaction of business at a meeting as outlined in ARTICLE VII, SECTION 1.

ARTICLE VIII — SPECIAL COMMITTEES

SECTION 1. The officers, as deemed needed to promote the purposes and interest of the Association, shall create special committees. The officers of the Association shall select the Chairperson of a standing committee. Their term of office shall be one (1) year.

SECTION 2. The Chairperson of all special committees shall present plans of work to the Association. No committee's work shall be undertaken without the approval of the Association.

SECTION 3. Special committees may be formed and appointed by either the officers or the Association. Since a special committee is created for a specific purpose, it ceases to exist when its work is done and its final report has been provided.

SECTION 4. Special committees shall consist of but not limited to; concessions, dances and or other social events, internet web site, sports registration, scholarship, Pleasant Valley School District liaison, community liaison and background investigation.

ARTICLE IX — ORDER OF BUSINESS

SECTION 1. The order of business shall proceed as follows:

Call to order
Comments from the floor (Guests)
Reading of the minutes
Treasurer's report
Correspondence
Officers reports
Commissioner's reports
Reports of committees
Unfinished business
New business
Adjournment

SECTION 2. The order of business may be suspended or changed at any meeting by majority vote.

ARTICLE X— DISSOLUTION OF THE ASSOCIATION

This Association may be dissolved when membership decides upon dissolution. In such case, the funds and or property acquired by the Association shall be used solely for student scholarship programs. These assets will be transferred to a local bank in a trust account to be administered by Pleasant Valley School District and or the bank. This trust will remain open until all funds are depleted.

ARTICLE XI — AMENDMENTS

SECTION 1. These By-laws may be amended at any regular meeting or special meeting of the Association by a two thirds (2/3) vote of members present and voting, provided proper notice of the amendment shall have been given at the previous meeting.

SECTION 2. A committee may be appointed to review and revise the By-laws as needed.

ARTICLE XII – MEMBER ORGANIZATIONS (2010)

SECTION 1. A member organization is any participating program that has been approved by a majority vote of the PVYA officers.

SECTION 2. Programs seeking membership into the PVYA must first present a written request to the organization outlining the following:

- a. Program to be added
- b. Names and contact information of two individuals who will be starting the program (cannot be spouses)
- c. Research of similar programs in the area and the purpose of having this program in this community
- d. An overall vision of the program
- e. A one-year, three-year and five-year conceptualization for the program including cost and return to the PVYA, fundraising ideas, and overall growth and direction of the program (amount of participants, coaches, etc)
- f. Start up cost to the PVYA, including equipment needed
- g. Any additional fees (association, league, etc)
- h. Facility/time requirements
- i. A commitment to adhere to the PVYA mission and guidelines for operation

SECTION 3. Member organizations dues shall be established at the acceptance of the program and shall become part of the minutes of that meeting.

SECTION 4. Member organizations must create and submit the standard operating procedures (herein known as SOP's) of their sport/activity to the PVYA by the September meeting, which shall include the following:

- a. a purpose/mission statement that adheres to the purpose of the PVYA
- b. acknowledgement that the program operates under the guidelines of the PVYA Constitution and By-laws
- c. list the members of the operating Board and their duties
- d. list of standards of operation of the program
- e. list procedures to be followed in the case of misconduct
- f. list any special rules/circumstances as mandated by the needs of that program

SECTION 5. Member organizations shall have a minimum of President, Vice President, Secretary/Treasurer that constitute an operating Board and shall adhere to the same duties of officers as outlined in Section VI, along with adhering to the SOP's of the member organization.

SECTION 6. Member organizations may appoint additional Board members as necessary to carry out the day-to-day activities of the program. All additional Board members must represent their program and the organization in a positive manner, shall adhere to the PVYA by-laws and to the SOP's of the member organization.

SECTION 7. Prepare and submit to the PVYA a yearly budget for their sport/activity by the September meeting.

SECTION 8. Operate their program within their budget.

SECTION 9. Potential member organizations shall be given a copy of Article XII upon initial request for information about joining PVYA.

ARTICLE XIII — COMMISSIONERS

SECTION 1. Any established program accepted for membership shall have a Commissioner appointed by that program that will be a voting member of the Board of Directors.

SECTION 2. Any new program instituted by the PVYA will require a commissioner before the start of the new program.

SECTION 3. By majority vote of the PVYA, BOD may suspend a Commissioner at any time. Suspension may be the result of inappropriate behavior. Inappropriate behavior can be considered to be, but not limited to verbal or physical abuse of children, coaches, parents, or officials.

SECTION 4. A Commissioner may serve as an officer of the PVYA.

SECTION 5. Commissioner's responsibilities are: (2010)

- a. Prepare and submit to the PVYA a yearly budget for their sport/activity by the September meeting.
- b. Submit the "standard operating procedures" of their sport/activity to the PVYA by the September

meeting

- c. Operate their program within their budget.
- d. Must attend and submit a written or verbal report on their sport/program at all meetings.
- e. Purchase equipment/supplies and submit bills.
- f. Submit a written report at the end of their season/program, highlighting the entire season/program.
- g. Can suspend coaches/event personnel within his/her program, if in his/her opinion, the action of said coach/ event personnel is in contrast to the policies of the PVYA. (Until the PVYA can meet on the suspension.)
- h. Perform other items and/or duties as assigned by the officers of the PVYA.

SECTION 8. All Commissioners are required to report all inappropriate incidents/behavior concerning any coaches, event personnel, parents, or children involved in their subject sport. This should be reported to the PVYA board in a timely manner.

SECTION 7. All commissioners are subject to adhere to the by-laws set out for coaches under Article XIV.

SECTION 8. If a commissioner has a problem or a complaint from coaches, parents, children, or officials, the following procedure should be followed:

- a. The commissioner shall try to resolve the incident with the offending individual first through established SOP's for that sport/program. (2010)
- b. If no resolution of the incident can be achieved, the PVYA board is to be notified of the incident and will participate in achieving resolution.

ARTICLE XIV – COACHES

SECTION 1. Coaches must conduct themselves in a sportsmanlike manner at all times.

SECTION 2. Both the commissioners and the PVYA BOD will strictly enforce a zero-tolerance policy toward any coach's inappropriate behavior. Inappropriate behavior can be considered to be, but not limited to, verbal or physical abuse of a child, another coach, parents, game officials, or facility officials and staff. Inappropriate conduct could also include not following guidelines set forth by PVYA and/or his/her sport/activity, willfully going against policies after having discussed the situation with board members, or belittling of the team/sport/activity/program in a manner that becomes detrimental to the team/sport/activity/program.

SECTION 3. Coaches must remain with players at practices or games from parental drop off until parental pick up.

SECTION 4. Coaches must maintain discipline on their team at all times. Any discipline problem must be reported to the commissioner immediately.

SECTION 5. Coaches must know and follow the league rules and policies for each league in which their team is involved. The PVYA will honor and support any organized league by-laws accordingly and will support any legitimate decisions made by said league against any PVYA coach.

SECTION 6. Coaches must know and follow the SOP's set forth by each sport in which they coach. (2010)

SECTION 7. All Coaches must agree to submit to a criminal background clearance and a child abuse history (DPW) clearance prior to being allowed to coach or work with youth enrolled in PVYA programs. Refusing to submit to a criminal background and child abuse history clearance removes that candidate coach from consideration for coaching any PVYA team.

SECTION 8. Any disciplinary actions, which result in a dismissal or suspension of a coach, will be carried across all sports governed by the PVYA.

SECTION 9. All PVYA coaches and commissioners will receive, review, and sign a copy of Article XIV of the PVYA by-laws. This will serve as an acknowledgement of the coaching policies of the PVYA. This copy will be stored by the PVYA until a time that the coach no longer volunteers in that capacity for the PVYA.

SECTION 10. Coaching is considered to be a privilege, not a right, of an individual. Prior coaching involvement in the PVYA is not a guarantee of future coaching involvement in any capacity.

ARTICLE XV – EVENT PERSONNEL (2010)

SECTION 1. Event Personnel are considered to be any individual that assumes a coordinator or leadership role within any PVYA program or activity that is not a sport.

SECTION 2. Event Personnel must conduct themselves in a sportsmanlike/positive role model manner at all times.

SECTION 3. Both the commissioners and the PVYA BOD will strictly enforce a zero-tolerance policy toward any coach's inappropriate behavior. Inappropriate behavior can be considered to be, but not limited to, verbal or physical abuse of a child, another coach, parents, game officials, or facility officials and staff. Inappropriate conduct could also include not following guidelines set forth by PVYA and/or his/her sport/activity, willfully going against policies after having discussed the situation with board members, or belittling of the team/sport/activity/program in a manner that becomes detrimental to the team/sport/activity/program.

SECTION 4. Event Personnel must remain with participants from parental drop off until parental pick up.

SECTION 5. Event personnel must maintain discipline within his/her program at all times. Any discipline problem must be reported to the commissioner immediately.

SECTION 6. Event Personnel must know and follow the rules and policies of the venues at which the event is held or at which the program participates. The PVYA will honor and support the rules and policies of venues at which PVYA programs participate and will support any legitimate decisions made by said venue against any PVYA event personnel.

SECTION 7. Event Personnel must know and follow the SOP's set forth by each program in which they participate.

SECTION 8. All Event Personnel must agree to submit to a criminal background investigation and child abuse history clearance prior to being allowed to work with youth enrolled in PVYA programs. Refusing to submit to a criminal background and child abuse history clearance removes that candidate from consideration for assisting with any PVYA program.

SECTION 9. Any disciplinary actions, which result in a dismissal or suspension any Event Personnel, will be carried across all activities governed by the PVYA.

SECTION 10. All PVYA Event Personnel and commissioners will receive, review, and sign a copy of Article XV of the PVYA by-laws. This will serve as an acknowledgement of the event personnel policies of the PVYA. This copy will be stored by the PVYA until a time that the coach no longer volunteers in that capacity for the PVYA.

SECTION 11. Coordinating of volunteering with any PVYA program/activity must be considered to be a privilege not a right of an individual. Prior leadership involvement in the PVYA is not a guarantee of future involvement in any capacity.

ARTICLE XVI — PARENTS

SECTION 1. Parents should conduct themselves in a sportsmanlike manner at all times or they may be removed by the coach, event personnel, commissioner, PVYA Officer or sport official.

SECTION 2: Parents should not approach coaches “in the heat of the moment,” and should wait to discuss any situations until it is an appropriate time for all involved.

SECTION 3. A parent and or legal guardian must sign a registration form for each of their children to participate in PVYA programs.

SECTION 4. A parent and or legal guardian registering a child for a youth sports program will be provided with a code of conduct at the time of registration. The parent and or legal guardian must acknowledge receipt of this code of conduct on their registration form.

SECTION 5. Parents are responsible for their children's transportation to and from all PVYA activities in which their children participate.

SECTION 6. If any equipment is lost, stolen, damaged (beyond normal wear) or not returned at the end of the season, restitution must be made before said boy or girl or siblings would be allowed to participate in any future PVYA programs.

SECTION 7. If any money is owed, restitution must be made before said boy or girl or siblings would be allowed to participate in any future PVYA programs.

SECTION 8. If a parent has a problem or complaint, the following procedure should be followed:

- a. Discuss the problem with the coach.
- b. Discuss the problem with the appropriate personnel of that program.
- c. Discuss the problem with the commissioner of the program involved.
- d. Discuss the problem with the PVYA BOD .

ARTICLE XVII – CHILDREN (PLAYERS/PARTICIPANTS)

SECTION 1. Children must conduct themselves in a responsible manner at all times. *The PVYA will strictly enforce a zero-tolerance policy towards inappropriate behavior by any participant. Inappropriate*

behavior can be considered to be, but not limited to, verbal or physical abuse of another child, coach, program personnel, parent, or official.

SECTION 3. Any participant who willfully destroys school/PVYA property, steals from the facilities in which their activities are held, physically abuses another participant, coach or official, will be immediately removed from the program.

SECTION 2. Children must be residents of the Pleasant Valley School District.

ARTICLE XVIII – MISCONDUCT, OFFENSES, AND PENALTIES

SECTION 1: Each sport/program shall enact disciplinary measures to its participants as allowable by their own SOP's at the PVYA Constitution and By-Laws. The following sections are to be adopted by each program. Should the program be unsuccessful in disciplinary actions, the PVYA BOD will step in and take the following measures:

SECTION 2. If in the PVYA BOD's opinion a "Member Organization" Board Member, Commissioner, Coach, Event Personnel, or Player has violated any of the terms or provisions of these By-laws, the PVYA BOD can impose against the member a suspension. At the next regular meeting of the PVYA, discussion of the act or acts and a majority vote of members will, terminate the suspension, set the length of the suspension or invoke expulsion of said violator from the organization.

SECTION 3. As soon as the PVYA has been made aware of an act or acts of misconduct or offense, the Secretary shall send a certified letter to the charged party, noting date, time and place of the next regular meeting.

SECTION 4. If the accused willfully fails to attend the meeting cited in the letter, the PVYA shall proceed to hear and determine the case just as though the accused was present.

SECTION 5. Should any parent, spectator or coach be ejected from a game by the official for that match, or by the home or opposing league representative for that competition, that individual shall be banned from PVYA activities until information is gathered and a Board decision can be made. Failure to comply with Board decisions will result in dismissal from the program for the offender and possible dismissal of the offender's child(ren) from the program.

SECTION 6. Ejection from the game by a coach, fan, or parent will result in the minimum of a suspension, to a \$100 fine, to expulsion (as per the PVYA Code of Conduct).

ADENDUM

On 12/11/03, by a majority vote of the officers of the Pleasant Valley Youth Association, the Articles of Incorporation, and Constitution and Bylaws have been amended. In order to meet the organizational test for exemption under IRS section 501 (c) (3) this organizational document, Articles of Incorporation, must be amended to include the following provisions:

ARTICLE III – POLICIES (amended 12/11/2003)

SECTION 4. Said organization is organized exclusively for charitable, religious, educational, and scientific purposes, including, for such purposes, the making of distributions to organizations that qualify as exempt organizations under section 501 (c) (3) of the Internal Revenue Code, or corresponding section of any future federal tax code.

No part of the net earnings of the organization shall inure to the benefit of, or be distributable to its members, trustees, officers, or other private persons, except that the organization shall be authorized and empowered to pay reasonable compensation for services rendered and to make payments and distributions in furtherance of the purposes set forth in the purpose clause hereof. No substantial part of the activities of the organization shall be the carrying on of propaganda, or otherwise attempting to influence legislation, and the organization shall not participate in, or intervene in (including the publishing or distribution of statements) any political campaign on behalf of any candidate for public office. Notwithstanding any other provision of this document, the organization shall not carry on any other activities not permitted to be carried on (a) by an organization exempt from federal income tax under section of any future federal tax code, or (b) by an organization, contributions to which are deductible under section 170 (c) (3) of the Internal Revenue Code, or corresponding section of any future federal tax code, or (b) by an organization, contributions to which are deductible under section 170 (c) (2) of the Internal Revenue Code, or corresponding section of any future federal tax code.

Upon the dissolution of the organization, assets shall be distributed for one or more exempt purposes within the meaning of section 501 (c) (3) of the Internal Revenue Code, or corresponding section of any future federal tax code, or shall be distributed to the federal government, or to a state or local government, for a public purpose. Any such assets not disposed of shall be disposed of by the Court of Common Pleas of the county in which the principal office of the organization is then located, exclusively for such purposes or to such organization or organizations, as said Court shall determine, which are organized and operated exclusively for such purposes.

Amended 12/11/03 Signature
Secretary PVYA

Michael S. Frigiola, DC

