

**AMENDED AND RESTATED BYLAWS  
OF  
MIFFLIN BRONCOS ATHLETIC ASSOCIATION**

(a Pennsylvania nonprofit corporation)

Updated as of 3/15/2024

**Article 1- Name:** This organization shall be known as the Mifflin Broncos Athletic Association, Hereinafter referred to as 'MBAA'. MBAA is incorporated under the Nonprofit Corporation Law of 1988 of the Commonwealth of Pennsylvania ( the "NCL").

**Article 2- The Objective of this organization shall be:**

- A. To Promote athletic growth among youth from Grades K-7th via a fundamentally balanced football and cheerleading program.
- B. To maintain high standards in teaching youth the fundamentals of football and cheerleading, and to unify teaching methods that enhance the youth's growth into Governor Mifflin Athletics Programs.
- C. To foster and maintain a spirit of goodwill and cooperation among players, officials, coaches, school officials, and parents.
- D. To protect children by safely promoting football and cheerleading in an organized environment.

**Article 3 - Membership status:**

- A. Member: Parent or Guardian of Registered athlete
- B. Any person desiring membership shall:
  - 1. Submit his/her athletes application and registration fee to the MBAA.
    - a. Applications received between 3/1-3/31= Early Bird Discount
    - b. 4/1-5/31= Regular Registration
    - c. 6/1-6/30= Late Registration
    - d. 7/1-7/12= Extra Late Registration \* Subject to equipment availability. \*As determined by the Executive Board.
  - 2. Children of the applicant will be eligible for the current season of play. The level will be determined by the child's age as of December 31st, that same year. Practice may have already begun, but all normal play rules will apply. Mifflin Broncos Athletic Association By-Laws REV. Jan 2004
  - 3. A member in good standing shall have voting rights after attending at least half of all general meetings held during the previous 12 months.

4. Meetings: General meeting dates will be communicated at the end of the previous meeting.
5. Registration Fees shall be set by the Executive Board each season.

#### **Article 4 - Registration of Players:**

- A. Registration in the MBAA shall be limited to those who the following apply:
  - a. Live within the Governor Mifflin School District or live within a closely related area that has no similar program.
  - b. Are willing to accept and abide by the bylaws of this organization and the Berks County Interscholastic Youth Football League, hereinafter referred to as "BCIYFL"
- B. Registration fees:
  - a. Registration fees shall be determined annually by the Executive Board.
  - b. Registration fees for each year are due and payable by specified dates as determined by the Executive Board each year.
  - c. In the event a child is injured or chooses not to participate prior to the first game of the season, all registration fees will be refunded if the player returns all equipment that had been issued to him/her.
  - d. Hardship Scholarship may be awarded to a player who has a financial difficulty at the discretion of the Executive Board. Need will be verified by the school. Parents must participate in any fundraising events and must volunteer a minimum of 5 hours for the season at a board approved volunteering activity.

#### **Article 5 - Officers:**

- A. The Executive Board of this organization shall be President, 1st Vice President, 2nd Vice President, Secretary, Treasurer, Cheer Coordinator, and Flag Football Coordinator.
- B. The duties of the officers shall be:
  - a. President- presides over all meetings, and organizational business, and:
    - Appoints Committees and Defines Committee Responsibilities (subject to the approval of the Executive Board)
    - Calls Special Meetings ( as outlines in Article 9 Section (a).
    - Handles League Game Scheduling

- Communicates the League's final game schedules to the organization.
- b. 1st Vice President- takes the place of President in case of absence, and:
  - Presides over Equipment Inventory
  - Responsible for Ordering New Equipment
  - Coordinates & Oversees Uniform Handouts
  - Oversees Replacement of Equipment According to Guidance from the Executive Board.
  - Equipment is to remain under lock and key at the designed equipment area (ie:sheds or official Bronco's Truck). No Member of the organization shall keep equipment in their personal possession. Keys shall be distributed only to the President, Vice President and 2nd Vice President.
- c. 2nd Vice President- takes place of 1st Vice President in case of absence, and:
  - Handles Referee Scheduling
  - Attends League Meetings on behalf of the Organization
  - Assists the 1st Vice President with Equipment
  - Coordinates & Oversees Field Set-up
- d. Secretary- responsible for communicating with the organization, and:
  - Keeps Minutes of all Meetings
  - Takes care of correspondence (includes Responding to Emails and Social Media Inquiries)
  - Presides over all Group Email Communications
  - Presides over the Website
  - Retains any Incident Reports for Three (3) Years
  - Provides Members with a copy of the Approved ByLaws
  - Presides over the Volunteer Clearances
- e. Treasurer- handles all collections, prepares reports including:
  - Disbursements, Summary of Account Balances, any other Financial Reporting
  - Reviews accuracy of all Birth Certificate Submissions
  - Collects and Retains Medical Consent Forms
  - Collects and Retains Uniform Deposits
  - Facilitates the Online Registration Process
  - Prepares Reports for all who have Registered for use at:
    - i. Uniform Handouts
    - ii. Mini-camp
    - iii. Roster submission to the league

- f. Cheer Program Coordinator- responsible for presiding over the Cheerleading Program, including:
  - Evaluation and Final Squad Placement based on Age and Ability
  - Appointment of Head Coaches and Assistant Coaches (in the event of more than one head coach for any given team, the coaches will be interviewed by the Executive Board and voted upon by the Executive Board)
  - Establishes Practice Schedules and Communicates Game Schedules
  - Presides over Cheer Uniform Inventory
  - Responsible for Ordering Cheer Equipment
  - Presides over Cheer Uniform Handouts and Returns
  - Presides over all Cheer-related Community Functions ( such as participation in events like Homecoming, Parades, and Competitions)
- g. Flag Football Coordinator- responsible for coordinating the Flag program, including communication of the final game schedule to the organization

#### **Article 6- Committees:**

- A. The Executive Board shall consist of the seven (7) elected officers. Once elected, the Executive Board members must attend all meetings unless previously excused.
- B. At the first meeting of the association after the annual election, the President shall appoint the following standing Committee Chairs:
  - 1. Field Setup Coordinator: Reports to the 2nd Vice President and is Responsible for Field Setup including:
    - i. Opening and closing the field and bathroom gates before and after each game
    - ii. Painting lines (Kenhorst Fields)
    - iii. Field Set up before each Game (includes coordinating volunteers for each game)
    - iv. Trash collection at the end of each game day
    - v. Oversees the Field Setup Assistant who is responsible for all the duties of the Field Setup Coordinator in the event the Coordinator is not available.

2. Equipment Assistant: Responsible for assisting the 1st Vice President with Inventory, coordinating volunteers to uniform handouts, washing the uniforms, and making recommendations for ordering any new equipment.
3. Fundraising Coordinator: Responsible for community outreach, coordinating, collecting, and communicating fundraising initiatives of the organization. Reports to Treasurer
4. Concessions Coordinator: Responsible for all Food Truck preparation, scheduling and ordering. Reports to the 1st Vice President
5. Clearances Coordinator: Verifies that all volunteers have clearances within 2 years. Notifies any volunteers if they need to renew their clearances. Reports to Secretary
6. Website Coordinator: Updates the Website according to any communications at the meetings. Reports to the Secretary
7. Spiritwear Coordinator: Responsible for coordinating and communicating spiritwear sales to the organization. Reports to the Treasurer
8. Volunteer Coordinator: Oversees DIBS and makes sure hours are being fulfilled. Reports to 2nd Vice President
9. Banquet Coordinator: Oversees Banquet, Menu, Decorations. Reports to the President

The President shall also be empowered to appoint such other committee chairs or other positions from time to time and make emergency decisions as he or she may consider necessary for the proper conduct of the affairs of the association. The Executive Board shall have general supervision over all committees.

**Article 7 - Quorum:**

- A. A quorum of no less than 3 members of the executive board shall consist of at least one (1) active member present at any given meeting.
- B. A majority shall be one vote more than one-half of the number of members present, unless otherwise stated.

**Article 8 - Election of Officers, Executive Committee and Terms of Office:**

Candidates for any available Executive Board Position including Cheer Coordinator and Flag Football Coordinator shall be nominated and closed by the November meeting and voted upon

by email to the board secretary and president by December 1st for the new year. Candidates are announced by email or at the next regularly scheduled meeting.

- A. The Executive Board with the exception of Cheer Coordinator shall be nominated in July, Voted upon in August, and Appointed in September.
- B. Committee Members may run for only one position during the election year unless there are no other volunteers nominated for an open position.
- C. Nominations will be open during each meeting but close at the November meeting of each year.
- D. The Secretary and Treasurer will count the ballots and announce the results of the election via email.
- E. It is recommended that there shall be at least two (2) nominees for the office of President, 1st Vice President, 2nd Vice President, Secretary, Treasurer, Cheer Coordinator, Flag Football Coordinator.
- F. The term of the office for the President, 1st Vice President, 2nd Vice President, Secretary, Treasurer, Flag Cheer Coordinator, Flag Football Coordinator shall each be two (2) years.
- G. The 1st Vice President, Treasurer, Flag Football Coordinator shall be elected on even years from the President, 2nd Vice President, Secretary and Flag Cheer Coordinator on odd years. Even years is VP1, Treasurer and Flag Football Coordinator, Odd years is President, VP2, Secretary, and Cheer Coordinator.
- H. Nominees must be MBAA members in good standing and have attended at least half of all regularly scheduled general meetings in the applicable season.
- I. In case of tied votes, new ballots with the names of the tied nominees shall be cast. In the event of an unbreakable tie, the Executive Board will have final appointment.
- J. Newly elected officers shall assume their post after January 1. Outgoing officers are required to properly arrange for the transfer of all association records by that time.
- K. Any vacancy of the Executive Board and Committee members occurring between annual elections shall be filled, when deemed necessary by the Executive Board, by a special election.

## **Article 9 - Attendance**

- A. The President and Executive Board shall be responsible for establishment and publication of meeting dates for the association. The President with the approval of the Executive Board can call a special meeting of the Executive Board to consider issues of urgency and importance that fall between regular scheduled association meetings. Every effort shall be made to give every member of the Executive Board at least five (5) days notice of the meeting date, time, and place.
- B. Eligibility for maintaining voting rights in the MBAA shall depend upon an actual attendance at association meetings. Attendance at a minimum of half of the meetings is required of all voting members.
- C. No meeting credit will be given to any member who enters a business meeting ten (10) minutes after the meeting is called to order.
- D. The Executive Board has the final decision as to eligibility for any membership in question.

#### **Article 10 - Coaching**

- A. Head Coaches must be nominated by the conclusion of the March meeting.
- B. Anyone wishing to be a Head Coach for Tackle Football must attend at least half of all General Meetings. Assistant Coaches must attend two (2) meetings.
- C. Head Football Coaches will be selected by the Executive Board based on qualifications. The Executive Board will interview the candidates and make the final decision. Head Cheer Coaches will be approved by the Executive Board.
- D. Head Football and Head Cheer Coaches must attend at least 1 League rules interpretation meeting and 1 coaches clinic during the year (if held).
- E. Head Football Coaches may select up to Three (3) Assistant Coaches prior to the draft.
- F. The draft shall be attended only by the Head Coach and One (1) Assistant.
- G. Head Coaches must understand and abide by the "Fair Play Rule" (see Article 11, section c.) Playing time will be fair but it may not be equal.
- H. Head Coaches and Assistant Coaches must be willing to submit to a background check for criminal history and child abuse.
- I. All Coaches agree that they will abide by the Coaches Manual and Code of Ethics provided by the league as well as the MBAA Code of Ethics/Conduct.

## **Article 11 - Conduct of Members**

- A. Members shall be defined as any individual, ie. coach, athlete, parent, or spectator in attendance at a MBAA sanctioned event, including but not limited to practices, games, and events.
- B. All members of MBAA shall conduct themselves at all times in a courteous and professional manner at any MBAA function. Members must abide by the MBAA Code of Ethics/Conduct

## **Article 12- Discipline of Member(s)**

- A. Members shall be defined as any individual, ie. Coach, Athlete, Parent, or Spectator in attendance at any MBAA event, including but not limited to practices, games, and events
- B. Grounds for discipline:
  - 1. For failure to comply with established authority or regulation of the MBAA Code of Ethics/Conduct, or for any other conduct that MBAA deems to be contrary to the best interest of the sport of Football or Cheerleading, a member may be placed on probation, suspended, expelled or such other discipline as the MBAA deems necessary, or as outlined in the Code of Ethics/Conduct.
  - 2. Disciplinary action as determined by the Governor Mifflin School District shall be followed and executed as needed by MBAA
- C. Notification of Charges:
  - 1. A member charged with any violation shall receive written notice by email, of the charges against him/her, indicating the alleged violation with specific reference to the Code of Ethics/Conduct, rule or alleged violative conduct occurred, and the person or entity who filed the charge. Such member shall also be provided at the time with copies of all documents related to the charges that may be used in prosecuting the charges. The charged member shall also be referred to these By-Laws with respect to his/her procedural rights.
  - 2. Right of Hearing: A member charged with any violation shall have the right to be heard in person or by written statement made by him/her in his own



defense before the Executive Board. Such right shall be afforded prior to the imposition of any penalty or any other disciplinary action and a member may seek a personal hearing if this is requested by member within fourteen (14) days of the date of the written notification to him/her of the violation and if the request is made in writing to the Executive Board Member who sent the notification. At the hearing, the person or entity bringing the charges shall be present and both sides may present any information or documents. Each party may ask questions of the other party and the other party's witnesses. Legal counsel may be present and fully participate if the MBAA is notified at least three (3) days prior to the date of the hearing so that it can have its legal counsel present. The hearing may be recorded and all documents retained. A written decision shall be made and sent to both parties by certified mail or email, within thirty (30) days of the hearing date. A majority vote of the members of the Executive Board shall determine its decision. Voting shall be in accordance with the quorum discussed in Article 7.

#### D. Appeal

1. Any member disciplined by the Executive Board shall have the right to appeal to the Executive Board by giving the Association's President written notice within seven (7) days of the receipt of the decision. The Executive Board shall decide the appeal on the record before and on its review of any further written agreement to be submitted by both parties. Notice of the date of appeal will be set by the President. Legal counsel may participate. A written decision shall then be made by majority vote of the Executive Board and sent by certified mail, return receipt requested, within thirty (30) days of the date on which the appeal was heard.

#### E. Discipline Notice

1. When a member is suspended or expelled from the MBAA, the Executive Board shall notify all concerned parties that such member is no longer able to attend any association function. No member shall attend a function knowingly with a suspended or expelled member.

#### F. Record Keeping

1. The Executive Board shall retain all records and proceedings concerning the disciplining of members. This is to ensure that a complete record will be available

if questions or legal proceedings arise. These records should be retained by MBAA and passed on when there is a change in administration.

#### **Article 13 - Bills Against the Organization:**

- a. All checks for payment of bills in the amount of five hundred dollars (\$500.00) or less must be approved by either Treasurer, President, Secretary, 1st or 2nd Vice Presidents.
- b. All Checks for payment of bills in an amount in excess of five hundred dollars (\$500.00) must be approved by the Treasurer, and either the President, Secretary, 1st or 2nd Vice Presidents.
- c. All receipts for payments issued using the MBAA Credit Card must be provided to the Treasurer at the time the product or service is charged.

#### **Article 14 - Power to Loan Money:**

- a. The association shall not have the power to lend its funds to any of its members.
- b. The association may advance money to committees if approved by the Executive Board.

#### **Article 15 - Rules of the Association:**

Meetings shall be conducted according to parliamentary procedure according to Roberts Rules of Order Revised.

- a. The final interpretation of any article or section of the By-Laws of the association shall rest with the Executive Board.

#### **Article 16 - Amendments:**

- a. Revisions or amendments to the By-Laws may be proposed by the Executive Board or five (5) or more members of the MBAA in writing. The proposal amendments shall then be read at the next scheduled regular meeting of the MBAA. Final action shall follow at the subsequent meeting, and at least two-thirds ( $\frac{2}{3}$ ) of the members present, in good standing, may vote upon this revision.
- b. All amendments to the By-Laws that are in conflict with the PIAA shall be void.

- c. If any term, condition, clause or provision of these By-Laws shall be determined to be void or invalid at law, or for any other reason, then only that term, condition, clause or provisions shall be stricken from these By-Laws as they are held to be void or invalid, and in all other respects, these By-Laws shall remain in full force and effect.

#### **Article 17 - Status of Members:**

- a. All members of the MBAA are volunteers and are in no way employees of the MBAA. MBAA nor its officers are employers, and therefore the members may not collect workers compensation from the MBAA or any other person or entity for injuries sustained while participating.

#### **Article 18 - Association Dissolution:**

- a. In the event the MBAA should cease to exist for any other reason other than that of a name change, all equipment belonging to the association shall be sold and the proceeds added to the MBAA account.
- b. All funds belonging to the association, after all obligations have been met, shall be donated to a local charity. The exact allocation and distribution of Mifflin Broncos Athletic Association By-Laws REV. Jan 2004 9 these funds shall be the responsibility of the MBAA officers and Executive COmmittee at the time of dissolution.

#### **Article 19 - Non-Discrimination**

- a. It is the policy of the MBAA not to discriminate against any association member on the basis of gender as outlined in the bylaws of the PIAA.
- b. Liability. Except as otherwise provided by the Pennsylvania Act, the debts, obligations and liabilities of the MBAA, whether arising in contract, tort or otherwise, shall be solely the debts, obligations and liabilities of the MBAA, and no Board Member shall be obligated personally for any such debt, obligation or liability of the MBAA solely by the reason of being a Board Member.
- c. Indemnification. The MBAA shall indemnify an person who was or is a party defendant or is threatened to be made a party defendant, pending or completed action, suit or proceeding, whether civil, criminal, administrative, or investigative (other than an action by or in the right of MBAA) by reason of the fact that he/she is or was a Member of the Board of MBAA, or agent of MBAA, or is or was serving at the request of MBAA, against expenses (including attorney's fees), judgments, fines, and amounts paid in settlement actually and reasonably incurred in connection with such action, suit or proceeding if the Members determine that he/she acted in good faith and in a manner he/she reasonably believed to be in or not opposed to the best interest of the MBAA, and with respect to

any criminal action proceeding, has no reasonable cause to believe his/her conduct was unlawful. The termination of any action, suit, or proceeding by judgment, order, settlement, conviction, or upon a plea of 'no lo Contendere" or its equivalent, shall not in itself create a presumption that the person did or did not act in good faith and in a manner which he reasonably believed to be in the best interest of the MBAA, and, with respect to any criminal action or proceeding, had reasonable cause to believe that his/her conduct was lawful.