

# Ephrata Youth Cheerleading Program, Inc. By-Laws

## Article 1: Name and Purpose

Section 1.1: The name of this non-profit organization shall be named Ephrata Youth Cheerleading Program, Inc. (hereinafter called EYCP)

Section 1.2: The Corporation shall be located in Lancaster County, Pennsylvania.

Section 1.3: The official mailing address of the corporation will be that of the current board president or treasurer.

Section 1.4: All teams formed within the organization will be known as the "Ephrata Mounts".

Section 1.5: The mission of the Ephrata Youth Cheerleading Program is to empower and inspire young athletes through the sport of cheerleading by fostering teamwork, discipline, and confidence. We are committed to creating a positive and inclusive environment where every participant can develop their skills, build lasting friendships, and grow both as individuals and as leaders. Our organization promotes dedication, respect, and a strong sense of community, while encouraging a love for physical activity and the spirit of sportsmanship.

## Article II: Non-Profit Organization

Section 2.1: The Corporation shall be served by its members in accordance with the requirements of the applicable law of the State of Pennsylvania relating to non-profit corporations and in such a manner as shall be consistent with the requirements for maintaining tax-exempt status of the Corporation pursuant to Section 501(c)(3) of the Internal Revenue Code of 1986, as amended, or any succeeding statute or governing regulation

## Article III: Election of Board of Directors and Non-Voting Members

Section 3.1: The initial Board of Directors and all Non-Voting members will be named by the committee who acted in forming the Ephrata Youth Cheerleading Program. Future elections to the Board will be conducted with voting held at the board meeting in December of any voting year.

### Section 3.2: Election of Board of Directors

- a. Persons interested in being appointed to the Board of Directors should submit their names to any one of the presiding Board of Directors. Submissions should be done in writing and presented to a current board member.
- b. All nominees for open Board of Director positions shall be revealed at regularly scheduled board meetings, and done prior to the December meeting.
- c. No name shall be nominated without consent of the nominee.

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- d. Incumbent Board Members and/or Non-Voting Committee Members who have expressed their willingness to remain in their position and are not opposed by a nominee will sustain their role (1) that person chooses to resign (2) a nominee at a future election wins a majority vote that would overtake their position.
- e. Election will be by majority vote of the Board of Directors.
- f. In the events of only one person being nominated for a position and majority vote of the Board of Directors, a position may be filled by acclamation.
- g. In the events of a Board of Director or Committee members resignation occurs prior to an election, a special election will be held by the Board of Directors. Nominees will be accepted at the next board meeting, following the resignation and voting may be conducted during that same meeting. A majority vote by the Board of Directors will be required.

### Article IV: Committee Members

#### Section 4.1: Board of Directors

- a. The Board of Directors shall be the governing body of the corporation.
- b. Members of the Board shall be elected at the annual meeting.
- c. The Board shall be comprised of no less than 4 members.
- d. The Board shall include a President, Vice President, Secretary, & Treasurer.

#### Section 4.2: Board of Directors Duties and Responsibilities

- a. President: The president will be the Chief Executive Officer of the Corporation and will preside at all board meetings. He/She shall execute, in name of the corporation, all contracts, evidences of indebtedness, and other instruments authorized by the board of directors. He/She shall ensure that business is conducted in a timely manner. The president shall be authorized to sign checks for cash disbursements from the corporation's checking account. The president's primary duties include, but are not limited to:
  - 1. Enforcing the corporations by-laws.
  - 2. Assigning duties to board of directors or volunteer members and ensuring completion in a timely fashion.
  - 3. Distributing an agenda for all meetings and ensuring notification to the public by email or website.
  - 4. Promote public relations and work with local affiliates to provide news and information to the public.
- b. Vice President: The vice president shall act on behalf of the president during his/her absence and shall assume all authority and responsibility associated with the position of president. Primary duties shall include, but are not limited to:

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1. Ensuring the corporation has the required number of members and committees to serve the day to day operation.
2. Advising the president and serving in his/her absence at board meetings.
- c. Secretary: The secretary shall record and maintain the meetings of all meetings of the board of directors. Primary duties include, but are not limited to:
  1. Presenting minutes from previous meetings to be reviewed and approved by the board of directors.
  2. Providing document file of all meeting minutes for placement on the corporation website for public review.
- d. Treasurer: The treasurer shall maintain the accounting records and make all necessary payments from the corporation's checking account. The treasurer shall be authorized to sign checks for cash disbursements from the corporation's checking account. Primary duties shall include, but are not limited to:
  1. Reviewing all bank statements for accuracy and preparing monthly bank reconciliations for all cash accounts.
  2. Collecting, counting, and depositing all corporate funds.
  3. Maintaining all receipts and records.
  4. Preparing or providing necessary information for the filing of annual tax returns.
  5. Reporting the financial status at board meetings.

## Section 4.3: Non-Voting Committee Members Duties and Responsibilities

- a. Fundraiser/Uniform Coordinator:
- b. Public Relations/Marketing Coordinator:
- c. JV/Varsity Liaison:
- d. Committees and Volunteer Positions:

## Article V: Board of Directors Meetings and Voting

### Section 5.1: Meetings

- a. The Board of Directors shall meet no less than one time per month.
- b. The president shall be responsible for establishing meeting dates and times and ensuring that meeting notices are conveyed to all members and general EYCP public.

### Section 5.2: Voting

- a. Each voting board member, in good standing, will have one vote in all business matters.
- b. All motions submitted for vote, must win by a majority vote.

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- c. At the president's discretion, a motion may be submitted via email, to all board members for voting. In order for a motion to pass outside of a scheduled meeting all (4) board members must respond via email with a Yea or Nay vote, to ensure that the business was properly conveyed to all board members. In the event a motion is passed outside of the scheduled meeting, the secretary must announce the business matter at the next scheduled meeting, so that the decision may be recorded in the minutes.
- d. A quorum of a meeting of the board members will be (3) members.
- e. Voting board members are expected to attend all meetings. Should a board member have (3) absences in a calendar year, the remaining board has the right to terminate that member's position. The person(s) involved must be notified in writing, that the board is planning to take action.

### Article VI: Terms of Office

#### Section 6.1: Terms

- a. The term for all board members shall be 3 years for all board positions. Beginning January 1 and ending December 31 of the given year.
- b. The term of office for all non-voting committee members shall be 3 years, beginning January 1 and ending December 31 of the given year.

### Article VII: Finance

Section 7.1: Period: The fiscal period of the corporation shall be on a calendar year

Section 7.2: Financial Institutions: The board shall select all financial institutions.

Section 7.3: Disbursement of Funds: The board of directors shall approve all disbursements of funds. Any board member who uses personal funds for payment of goods or services, that are deemed necessary for the organization shall (1) receive prior approval of the board for these expenditures (2) provide purchase receipts for goods or services rendered (3) provide documentation that shows proof of payment. Upon approval, a check will be provided to board member, and must be signed by board president and treasurer.

Section 7.4: Fundraising: Any fundraising by members of a team, within the organization, or fundraising events using the EYCP name, must be approved by the board prior to solicitation.

Section 7.5: Registration Fees/Late Fees/Refunds: All topics pertaining to the collection of funds for player registration, issuance of late fees for late registrants, and refunds of registrants, shall be discussed annually. All fees and refund policies shall be recorded in the minutes of the meeting that discussion took place.

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## Article VIII: Coaches

Section 8.1: All coaches will be required to submit background clearance forms pursuant to criminal history and child abuse history. Coaches will be required to submit the (2) background clearances as defined by Act 34 and Act 151 of the Commonwealth of Pennsylvania. Background clearances will remain effective as mandated by the Commonwealth of PA Act 153.

Section 8.2: All coaches will be asked to attend coaches meetings in an effort to promote the concept of a coach's community and allow for continuity of coaching within the program.

Section 8.3: Coaches will be provided with the by-laws and all coaches are to conduct themselves in accordance with the by-laws and within the guidelines of the Coaches Code of Ethics as follows:

- a. To address all cheerleaders in a positive manner. Physical and/or verbal abuse will not be tolerated.
- b. Shall not attend any practices or games while under the influence of any controlled substances or alcohol.
- c. Shall refrain from using tobacco or vaping products while in the presence of his/her team.
- d. Profanity shall not be used.

Section 8.4: If at any time before, during, or after the season, the Board of Directors determines that a coach is not acting in the best interest of the organization, the board can by majority vote, have the coach removed from his/her position. Once a coach has been permanently removed from their duties, they may not return to the organization in any capacity whatsoever.

## Article IX: Insurance

Section 9.1: An injured cheerleader requiring professional medical treatment may not participate in practice or games until the cheerleader is cleared to participate.

Section 9.2: All cheerleaders are required to have valid and up to date health insurance information on file with EYCP, prior to the first practice of the season.

## Article X: Cheerleader Eligibility and Practice

Section 10.1: Practice shall conform to the following guidelines:

- a. Practice sessions shall be set a minimum of two (2) practices per week, prior to school coming into session. When school is in session, practice sessions shall be set a minimum of one (1) practice per week.

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- b. Practices for all teams will begin no earlier than 5:30pm.
- c. No cheerleader will be permitted to practice until:
  - 1. The cheerleader has submitted a signed Parental/Guardian Consent form
  - 2. Cheerleader and parents review and sign the cheering packet. The packet will provide parents and cheerleaders the policies regarding attendance, cheerleader and parents conduct, and disciplines for violations of policies.
  - 3. The cheerleader has submitted all due monies to the EYCP organization.

### Article XI: Amendments to Bylaws

Section 11.1: The bylaws of this organization may be amended, revised, or repealed at any regular or special meeting of the board by a three-fourth (3/4) vote of a board quorum. Proposed changes to EYCP bylaws must be read at two consecutive board meetings and may be voted on at the second meeting.

### Article XII: Indemnification

Section 12.1: The organization shall, to the extent legally permissible, indemnify each person who may serve or who has served at any time as an officer, director, or employee of the corporation against all penalties and settlement payments, reasonably incurred by or imposed upon such person in connection with any threatened, pending or completed action, suit or proceeding in which he or she may become involved by reason of his or her service in such capacity; provided the no indemnification shall be provided for any such person with respect to any matter as to which he or she shall have been finally adjudicated in any proceeding not to have acted in good faith in the reasonable belief that such action was in the best interest of the corporation; and further provided that any compromise or settlement payment shall be approved by a majority vote of a quorum of directors who are not the that time parties to the proceeding.

### Section XIII: Player Protection

Section 13.1: Ephrata Youth Cheerleading Program has a zero tolerance policy for sexual abuse or molestation. Any claims of sexual abuse or molestation against any member of Ephrata Youth Cheerleading Program will be immediately communicated to local law enforcement for further investigation.

Section 13.2: At no time shall any single member or volunteer of Ephrata Youth Cheerleading Program be out of public sight, both on and off premises where cheerleading activities occur, with any single individual participating in Ephrata Youth Cheerleading Program.

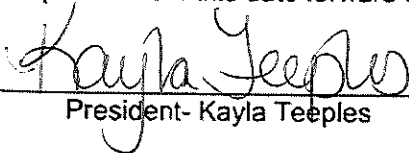
### Article XIV: Dissolution

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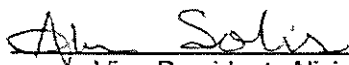
Section 14.1: If there comes a time when the organization is no longer needed, or no volunteers can be found to maintain it, the organization may dissolve after by unanimous vote of the remaining board of directors. After dissolution is ratified by the body, the remaining board members will distribute the corporation assets to Ephrata Public Library. If the Ephrata Public Library is no longer exempt under section 501(c)(3), assets shall be distributed for one or more exempt purposes within the meaning of the 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 public purpose.

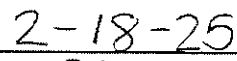
### Acknowledgement

The Board of Directors of Ephrata Youth Cheerleading Program have reviewed and approved the By-Laws stated above, and the signatures below execute their acceptance from this date forward or until revisions or amendments are authorized.

  
\_\_\_\_\_  
President- Kayla Teeples

  
\_\_\_\_\_  
Date

  
\_\_\_\_\_  
Vice-President- Alicia Solis

  
\_\_\_\_\_  
Date