

# Bismarck Youth Fastpitch Softball Association

*We are proud to be affiliated with, and sanctioned by, **USA Softball**. USA Softball is the National Governing Body (NGB) for the sport of softball in the United States, recognized by the United States Olympic & Paralympic Committee (USOPC). Formerly known as the Amateur Softball Association (ASA), the organization officially rebranded to USA Softball on January 1, 2017.*

## Mission Statement

The objective of the Bismarck Youth Fastpitch Softball Association is:

To encourage all people to take an active part in recreation and athletics and to promote such activities as an active participant.

To encourage adults to assist and aid organized softball, as well as other recreational activities as they are planned.

To enhance a program of leadership for youth and to provide a channel for youthful activity in a friendly atmosphere of wholesome competition.

The objectives will be achieved and accomplished by providing supervised athletic games and events.

# ARTICLES OF INCORPORATION OF

## BISMARCK YOUTH FASTPITCH SOFTBALL ASSOCIATION

### Article 1

#### Name

The name of the organization shall be Bismarck Youth Fastpitch Softball Association. This association is organized for non-profit purposes.

### Article 2

#### Purpose and Powers

##### **2.01 Purpose**

The purpose of this organization is to provide a program of service to the youth of our community and surrounding communities. The activity is dedicated to helping youth become good and decent citizens through wholesome fun, responsible leadership, the spirit of good sportsmanship, teamwork, and fair play. It strives to inspire them with a goal and to enrich their lives toward their own adult responsibility in communities in which they will be living.

The association's duties will include fundraising, equipment needs and voluntary services.

##### **2.02 Nonprofit Status and Exempt Activities Limitations**

**(a) Nonprofit Legal Status**-The Bismarck Youth Fastpitch Association is organized and operated in North Dakota exclusively for charitable, religious, educational, and scientific purposes, including, for such purposes, the making of distributions to organizations that qualify as exempt organizations under such section 501(c)(3) of the Internal Revenue Code or corresponding section of any future federal tax code.

**(b) Exempt Activities Limitations** -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 statement) any political campaign on 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 501(c)(3) of the Internal Revenue Code, or corresponding section of any future federal tax 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.

Being a board member and receiving compensation from the Bismarck Youth Fastpitch Softball Association Board for an outside duty will be seen as a conflict of interest and said member will need to choose between paid position and board position. This will reduce conflict of interest issues.

- (c) Distribution upon Dissolution-** Upon dissolution of the Bismarck Youth Fastpitch association, after paying or adequately providing for the debts and obligations of the corporation, 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 principle 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.

## **Article 3** **Membership**

### **3.01 Membership**

The membership of this organization shall be comprised of the youth and the parents/guardians of the youth playing in the association and any interested adult citizen who is participating in the association.

Any person who fail to pass a background check will not be allowed to hold any position in the Bismarck Youth Fastpitch Softball Association. This includes board positions, auxiliary positions and team positions, both rostered and non-rostered. Background check results will only be made available to the President and Vice President- Softball Operations.

### **3.02 General Membership Meetings**

There will be at least one (1) general membership meeting, at the end of the regular season. Notification of general membership meeting must be posted no later than seven (7) days prior to the meeting. Each family unit will have one vote at each general membership meeting. At this meeting board officer elections will be held.

## **Article 4**

### **Board Officers**

#### **4.01 Elected Offices**

The elective offices of the association shall be President, Vice President, Secretary, Treasurer, Summer League Coordinator (11 and up, 10 & under, 8 & under, 6 & under), Assistant Summer League Coordinator, Travel Team Coordinator, Assistant Travel Team Coordinator, Website and Technology Director, Fundraising Coordinator, Umpire Coordinator, and two (2) Members at Large. The elected president and treasurer shall have held a previous BYFSA board position for at least one year prior to running for office.

#### **4.02 Officer Responsibilities**

All board members shall be required to maintain contact with the board during their time in office and shall notify the president of any absence in excess of seven (7) days. The board will assume the duties of absent officers. Any of the below named offices can have co-chairs and/or co-coordinators.

#### **4.03 Terms**

- (a)** The President and Treasurer will be elected to serve a two-year term; however, the term may be extended until a successor has been elected.
- (b)** Office terms shall be staggered so that approximately half the number of board members will end their terms in any given year.
- (c)** Board members may serve terms in succession.
- (d)** The term of office shall be considered to begin November 1 and end November 30 of the following year, unless the term is extended until such time as a successor has been elected. The outgoing president and treasurer must remain available to address any questions from the incoming president and treasurer.
- (e)** If any vacancy on the board exists, it will be filled by board appointment.

#### **4.04 Office Descriptions**

The following board positions are considered voting positions: Vice-president, Secretary, treasurer, website and technology director, summer league coordinator, travel team coordinator, member-at-large (2), fundraising coordinator. The President will only vote if there is a tie.

- (a)** President - The President shall preside at all general meetings and board meetings of the association. He/she shall sign all contracts, act as spokesperson and perform other duties of the association as needed. He/she will be responsible for the storage and maintenance of the association records. All board members will be responsible to the President for their duties of office. He/she will chair the managers' meeting. He/she will be an ex-office member of all committees. He/she will serve as the Parks and Recreation liaison. He/she shall maintain liaison between all Coordinators (11 & up, 10 & under, 8 & under, and 6 & under divisions) and monitor their activities. He/she will act as tournament director for BYFSA hosted tournaments.
- (b)** Vice President - The Vice-President shall preside at meetings of the association and the

board of directors in the President's absence. He/she shall assist the President in carrying out the responsibilities of the President's office. He/she shall maintain liaison between all Coordinators (11 & up, 10 & under, 8 & under, and 6 & under divisions) and monitor their activities. He/she will work in conjunction with the league Treasurer for transfer of all monies and sales records which will be provided to the Treasurer for monthly financial reports and filings. He/she shall be responsible for fair and impartial placement of all players. He/she shall present, at each board meeting, a report on any disciplinary decisions made involving any player or manager. He/she shall oversee all aspects of coaching to include, but not limited to coach qualifications, background investigations for all coaches and board members, principles of instruction, hosting coaching seminars, coordinating tryouts for Travel Team placement, and ensuring adherence to the Coaches Code of Ethics and Conduct. The Vice-President will assist president with BYFSA hosted tournaments.

- (c) Secretary** -The Secretary shall record the minutes of both board and general membership meetings and keep a record of board member attendance. He/she shall provide the President with copies of the minutes of all meetings and any other correspondence. The minutes are a permanent record of this organization. He/she shall be responsible for notifying all board members of any and all meetings. He/she shall maintain a master registration log indicating player's names, division, birthdates, and amount of registration fee. The Secretary shall work closely with the Website Manager/Technology Coordinator to accomplish these duties.
- (d) Treasurer** -The Treasurer shall provide the board with a preliminary budget which may be used as a guide for final approval after any necessary changes are made by the board. He/she shall maintain the association's funds and keep accurate record of it. He/she shall provide the executive board with copies of all bank statements. He/she shall be responsible for the disbursements of association funds and shall provide a financial report available to each board member at each board meeting and at the expiration of his/her term in office. He/she shall be a liaison between sponsors and the board. He/she will serve as the merchandise coordinator.
- (e) Website and Technology Director** -The Website and Technology Director will be responsible for updating and maintaining the organization's website, Facebook page and any other types of social media BYFSA chooses to access. He/she will work closely with Secretary to coordinate all player registrations and with Summer League Coordinator to track team scores.
- (f) Summer League Coordinators** - The Summer League Coordinators will attend game nights when possible. He/she will ensure correct placement of pitching rubber on game nights. He/she will be the liaison between the Board, the coaches, the players and the umpires. He/she will maintain the gear for their league and seek Board approval to purchase additional gear. He/she will supply coaches with team schedules, team rosters, equipment bags with age-appropriate equipment, balls, and team shirts. He/she will be familiar with league rules and communicate these rules to team coaches and reiterate that the rules apply to EVERY summer league game. He/she will work closely with Website/Technology Director to report game scores. He/she will coordinate the selection/drafting process of players for their respective league. He/she will work with the Treasurer to order and distribute "End of Season Awards" to the players and coaches of each league. He/she will be responsible for End of Season Tournament.
- (g) Assistant Summer League Coordinator** - The Assistant Summer League Coordinator will assist summer league coordinators with his/her duties.
- (h) Travel Team Coordinator** - The Travel Team Coordinator shall be the liaison between the

Board, coaches, players, and parents. He/she will distribute uniforms; and, with Board approval, reorder uniforms when needed. He/she will work closely with Board Treasurer for any ordering. He/she will seek out and appoint team managers for each travel team. He/she will collect and maintain copies of birth certificates of each travel team player. He/she will acquire necessary information for the completion of the USA form and submit the forms to NDUSA. He/she will arrange team hotel reservations for all out-of-town tournaments. He/she will register for summer tournaments. He/she will supply coaches with equipment bags.

- (i) Assistant Travel Team Coordinator - The Assistant Travel Team Coordinator will assist the Travel Team Coordinators with his/her duties.
- (j) Umpire Coordinator - The Umpire Coordinator shall be responsible for scheduling of summer league umpires. He/she will ensure proper umpire equipment is made available for volunteer umpires and work with the Treasurer to ensure purchase of any necessary items. He/she will serve as the liaison between coaches, umpires, and Parks and Recreation for matters concerning umpires.
- (k) Fundraising Coordinator - The Fundraising Coordinator helps make sure our organization has the resources it needs to keep doing great work. This board member leads our fundraising efforts from planning events and campaigns to reaching out to sponsors and donors. It's a creative, hands-on role for someone who enjoys connecting with people and rallying support for a good cause.
- (l) Member-at-Large (2) - The Member-at-Large serves provides general oversight, guidance, and support for the organization's mission and activities. Unlike officers with specific roles (e.g., President, Treasurer, Secretary), the Member-at-Large contributes where needed, representing the interests of the general membership and assisting with board projects, committees, and strategic initiatives. Member-at-large position will help fill any duties of filled board position.

#### **4.04 Committees**

The board may appoint a chairman for the following committees and prescribe rules and regulations for the functioning of said committees: Managerial Selection, Publicity, Sponsors, Field, Equipment, By-Laws, Registration, Player Evaluations, Opening Day Ceremonies, Insurance, All Star, and Rules. (Rules Committee shall be organized for the purpose of setting forth playing rules of the association)

## **Article 5** **Elections and Meeting Requirements**

### **5.01 General Elections**

A general election will be held to elect a new board each year prior to the end of the regular playing season. The new board is to take office on November 1<sup>st</sup>. Newly elected board members should attend the November board meeting to allow for the smooth transfer of duties.

### **5.02 Election Method**

Elections shall be held by ballot at the general membership meeting at the end of the regular

season. If there is but one candidate for any office, the ballot for that office may be dispensed with and the election held by voice vote. A simple majority will determine a winner.

### **5.03 Transition of Responsibilities and Meeting Requirements**

The new board will assume duties and hold its first meeting in October and be held at least once a month thereafter. A quorum for any board meeting shall be a simple majority of its elected board. A board meeting will be closed for disciplinary matters as is deemed necessary by the President or a majority of the board. The meeting will be open for input from the general membership for a period not to exceed 45 minutes. The President will have the right to request further input from the membership during the closed session at his/her discretion. The board meeting is for board members only during the closed session. Each board member shall have one (1) vote regardless of if that member holds multiple positions, excluding the President who will vote in case of a tie. In case of a vote taken over the phone, a reasonable attempt must be made to contact all board members. In the case of any phone vote, it will be the responsibility of the President or Secretary to call and tally all votes, and written results will be given to the board members at the next board meeting.

### **5.04 General Membership Meeting**

A special general membership meeting for the purpose of recalling board members or other important matters will be held within 30 days of the board receiving a petition signed by at least 75 members of this association. Notice of this meeting must be mailed at least 10 days prior to it being held. Signatures on the petition must be of a parent/guardian of a rostered player.

## **Article 6** **Programs**

### **6.01 Team Personnel Requirements**

The adult team personnel shall consist of a manager, team parent and coaches. When there are two or more coaches, one or two coaches can be named Head or Co-Head coaches. Team Personnel rosters may be added to or changed by the Manager upon written notification to his/her division commissioner.

- (a)** A team parent must be an adult of at least 18 years of age.
- (b)** Any coach or adult over 18 helping in the dugout or with the game is required to have a background check.

### **6.02 Disciplinary Action**

The board shall have the right to remove or discipline any team personnel for any of the following reasons:

- (a)** Conducts are not conducive to the good intent of the program, etc.
- (b)** Use of abusive language

- (c) Use of physical abuse
- (d) Abuse of the rules and/or regulations as established by the Bismarck Youth Fastpitch Softball Association

### **6.03 Conduct**

The conduct of any member of Bismarck Youth Fastpitch Softball Association is to be maintained on a high level at all times. Any misconduct of a manager, coach or league member should be handled in the following manner:

- (a) During the game: The official scorekeeper should be notified immediately, and all charges should be noted in the official score book and signed by the umpire. If at any other time, the league President should be notified in person or by phone.

Any charges shall then be presented to the President and the League Coordinator of the offending division for the determination of any action required. Personnel charged shall have the right to appear before the board, whose decision will be final. A decision to remove league personnel from participation shall be by a majority vote of the board. If the President decides a charge to be extremely serious, he/she must contact and immediately suspend such person. In the event the President decides to remove such personnel without the vote of the board, he/she must file a report of removal with the entire board. Suspended or terminated individuals may appeal by gathering as many signatures as is required to call a "General Meeting" as prescribed in the By-Laws. A person may be re-instated if and when said meeting is called and the matter is discussed and voted upon accordingly.

### **6.04 Board Member Conduct/conflict of interest**

No board member shall encourage a player to refuse or limit her participation in our league or on our All-Star/travel teams. People serving as officers or board members of other organizations involved in raising funds and/or recruiting players in what may be construed as competition with Bismarck Youth Fastpitch Softball Association shall not serve as voting board members of Bismarck Youth Fastpitch Softball Association.

### **6.05 League and Travel Teams**

The league teams will be determined by a selection committee in the spring of each year. A tryout and selection committee will determine the travel teams; the president and vice-president will approve rosters. If either of these board positions has a participant on the roster the secretary and treasurer must be involved in the approval as well.