

Somers Youth Sports Organization - Cheerleading

By- Laws - Drafted February 2015; April 2020

The SYSO Cheerleading By Laws outline sport specific requirements and are in addition to the newly adopted By Laws set forth by the Somers Youth Sports Organization on January 9, 2015.

Article I - Purpose

SYSO Cheerleading is a “sport” referenced under Article 12, Section 1 of the by-laws of the Somers Youth Sports Organization (such organization being hereinafter referred to as “SYSO” and such by-laws being hereinafter referred to as the “SYSO by-laws”).

The main purpose of SYSO Cheerleading is to organize, promote, and administer the sport of cheerleading for the youth of the Town of Somers, New York. Our stated goals are to encourage participation for all, regardless of skill or ability, to offer athletic instruction, and to promote enjoyment and safety of and for the children registered in the SYSO Cheerleading program. The said purposes are to be conducted all without pecuniary profit and shall in no way involve political or religious considerations.

The object of this program is to inspire youth, organize, and promote the sport of cheerleading in the Town of Somers. We strive to: practice the ideals of scholastic fitness, citizenship and character; bring our youth and community together through sportsmanship, healthy competition, safe practices and fair play; keep the welfare of the youth first and foremost at all times.

SYSO Cheer will offer both fall sideline and competitive opportunities for its athletes.

Article II – Intention

These by-laws are intended to be the “sport-specific” by-laws relating to SYSO Cheerleading under Article 12, Section 10 of the SYSO by-laws. These by-laws are intended to provide general guidelines for the governance, activities, operations and goals of SYSO Cheerleading and shall provide basic rules of conduct for the Commissioner and other members of the Cheer Board (as defined herein; each member of the Cheer Board (including the Commissioner) shall hereinafter be referred to as “Directors”), as well as all officers, representatives and volunteers assisting with SYSO Cheer, and the Cheer Board shall be authorized to adopt rules, regulations and operating procedures to execute the business of SYSO Cheer, provided that no such rule, regulation or operating procedure may contravene an express provision of these by-laws. Notwithstanding the foregoing or anything else contained herein, these by-laws shall remain subject and subordinate to, and shall not be interpreted or otherwise construed as being superior to (or in conflict with), the SYSO by-laws, and no provision hereof and no rule, regulation or operating procedure promulgated by the Cheer Board may contravene a provision of the SYSO by-laws or any rule, regulation or operating procedure adopted pursuant to the SYSO by-laws.

Article III – Officers & Scope of Authority

The Cheer Executive Board (Sport Specific Board) shall include:

Officers & Responsibilities-

Commissioner (SYSO Commissioner – see Article 12, page 9 of SYSO By Laws for additional responsibilities)

The **Commissioner** shall preside over all meetings of the Cheer Board and, in the absence of the Secretary, shall appoint a secretary of any such meeting. S/he has the power to sign and execute alone in the name of SYSO Cheer all contracts authorized either generally or specifically by the Cheer Board, unless the Cheer Board shall specifically require an additional signature. The Commissioner shall perform all the duties incident to the position of Commissioner under the SYSO by-laws. In addition, the Commissioner shall perform such other duties and have such other powers as the Cheer Board may from time to time prescribe. The Cheer Board shall have full power and authority to appoint the Commissioner, subject to the SYSO by-laws.

Conduct program registration, collect all registration fees and submit same to the Treasurer

Supply a list of registered children to the SYSO Executive Board

Keep record of all program volunteers; ensure proper staffing of coaching personnel

Report to SYSO all progress, enrollment at regularly scheduled meetings of SYSO

Assistant Commissioner/ Vice President(s)

The **Assistant Commissioner/ VP(s)** shall be prepared to perform all the duties of the Commissioner in the absence of the Commissioner or when called upon to do so. In the event that the Commissioner resigns or is removed from office, the Assistant Commissioner shall immediately become the Commissioner unless and until the Cheer Board shall appoint another member of the Cheer Board to serve as Commissioner.

Assist in all above mentioned responsibilities

Community outreach and involvement

Fundraising organization & Special Events coordination

Uniform Inventory

Secretary

The **Secretary** shall attend and keep the minutes of all Cheer Board meetings and maintain current lists of all officers and other Cheer Volunteers. The Secretary shall perform all the duties customarily incident to the office of the Secretary, subject to the control of the Cheer Board, and shall perform such other duties as shall from time to time be assigned by the Cheer Board.

Meeting minutes & agendas – share accordingly; General Communications; Facilities - practice space/ scheduling; Competition Registration

Treasurer

The **Treasurer** shall have general supervision over and custody of all fees and other amounts collected by SYSO Cheer, have charge of all funds, pay bills upon approval of the Cheer Board (provided, that no Cheer Board approval shall be required in order for the Treasurer to pay any routine and customary bills of SYSO Cheer and/or any bills for amounts under \$500), and maintain receipts for same. The Treasurer shall report all receipts and expenditures and outstanding debts on a periodic basis as deemed necessary, shall keep full and accurate accounts of all receipts and disbursements of SYSO Cheer, shall

deposit or cause to be deposited all funds and securities of SYSO Cheer in the name and to the credit of SYSO [SPORT] in accordance with the SYSO by-laws and shall present periodic financial statements to the Cheer Board at its regular meetings. The Treasurer shall also be responsible for working with the Treasurer of SYSO on all matters relating to funds and accounts allocated to SYSO Cheer. In addition, the Treasurer shall perform all duties incident to the position of Treasurer, subject to the control of the Cheer Board, and shall when required, give such security for the faithful performance of his or her duties as the Cheer Board may determine.

General funds - deposits & withdrawals – check requests through SYSO; Registrations as per President; Accounts payable/orders – keep transparent records to be shared at all meetings

Public Relations

The Public Relations board member shall have general supervision over the team parent. This board member will assist in getting information to teams and reporting back possible grievances to the board. In addition this board member will facilitate and help delegate fundraisers including scheduling snack shack shifts.

The SYSO Cheer Executive Board will put Team Coordinators, Coaches and Demonstrators in place in accordance with enrollment each season.

1. Officers shall be appointed pursuant to the provisions set forth in Article 6, Section 5 of these by-laws and may be removed in accordance with the terms set forth in Article 6, Section 6 of these by-laws.
2. The Cheer Board shall determine the number and titles of officers needed in addition to the officers listed in Sections 1 through 4 of this Article 7. (5 person Board as of January 2018)
3. A Director may hold more than one title or office, except that the Commissioner shall not also serve as Treasurer.
4. No officer of SYSO shall be entitled to receive a salary for services rendered to the SYSO as an officer.
5. No person holding the office of President, Vice President, Secretary or Treasurer, or otherwise serving as a Director, shall serve as an officer or director of another SYSO sports program or be an officer or director of the SYSO Executive Board.

Article IV - Terms & Meetings/ Succession

The Cheer Executive Board will serve a two year term. Elections to be held at the final meeting of each calendar year. No term limit. No position limit.

Cheer Executive Board Meetings will be held regularly as determined by need, but no fewer than once every two months.

Board will strive to hold at least one meeting for the General Public annually ("Annual General Membership Meeting") and it will be publicized accordingly.

Meeting Guidelines:

- A quorum (50% of elected Board members) must be in attendance for a vote

- All matters of voting shall be decided by majority

Commissioner shall:

Call meeting to order & preside over the entire meeting; afford anyone present the opportunity to voice thoughts, opinions, etc.; Implement vote for any decisions that need to be made

If dispute shall arise "Robert's Rule of Order" should be followed to resolve issue at hand:

<http://www.robertsrules.org/>

New matters – Agenda items to be discussed must be emailed to the Secretary in advance for inclusion in the meeting. The President may call an urgent meeting if the new matter requires immediate attention. The Executive Board will exercise reasonable efforts to meet as soon as possible. New matters may be discussed at any meeting without inclusion on the agenda only after all scheduled items are tackled.

President's Power and Authority- President will use best efforts to work alongside the Cheer Executive Board to reach consensus on all issues. The President shall use reasonable efforts to adopt and effect the consensus of the Board to the maximum extent possible. In the event, the Board's decisions conflict with the best interests of the program, the President will present the issue to the SYSO Executive Board for further review. (Action, Spokesperson, arbitration)

Board Invitees – Each Board member has the right to invite one guest (volunteer or otherwise) if such Board member believes the guest can and will provide valuable and beneficial insight relating to a matter at hand. President has the right to revoke, limit or otherwise restrict the invitation. At least three days advance notice of guest must be given.

Article V – Committees & Notices

The SYSO Cheer Executive Board will enlist Parent Representatives/ Team Coordinators to oversee each team. Training will be supplied. Volunteers are vital to SYSO Cheer's success.

Sub Committees – Board members may create sub committees of volunteers to handle additional tasks as needed. The Board member who creates the sub- committee is responsible for reporting back progress to the Executive Board regularly.

Any notice to a member of SYSO Cheer shall be deemed duly given if sent to the email (or emails) listed on such member's profile saved in Sports Sign UP (or other registration program then in use by SYSO) and, in addition, such notice shall be posted on SYSO's (cheer) website.

Article VI – Amendments

These By-Laws may be amended at any time as long as advance notice is given, the Cheer Executive Board is in majority agreement and changes are shared with the membership in advance. An opportunity for questions and answers should be given at a meeting prior to the adoption, revision or amendment.

Article VII – Rights to Volunteer, Coaching and Mediation

1. Right to Volunteer

- a. Each member of SYSO who has registered his/her child in a SYSO Cheer program during the current year (a "Cheer Parent") shall have the right to volunteer to assist with the SYSO Cheer program. Any Cheer Parent desiring to volunteer shall check the box (if provided) indicating so while registering his/her child for a SYSO Cheer program and/or shall notify the coach (or other Cheer Volunteer (defined below)) leading his/her child's particular team (or activity) in writing via email (or otherwise).
- b. Volunteers will be subject to approval from a third party background check. Any volunteer including but not limited to cheer board members, coaches, team moms and guest coaches are required to complete before interacting with any SYSO cheer athlete.
- c. Volunteer opportunities exist on and off the field, including, without limitation, opportunities relating to coaching (both head coach and assistant coach), health and safety, equipment coordination, field preparation, facility procurement, uniform coordination, insurance, scheduling, field allocations and many other positions, and it is expected that Cheer Parents, to the extent practically possible, will become Cheer Volunteers and fill all such positions as and when needs arise as determined by the Cheer Board.
- d. If any Cheer Parent desires to volunteer and assist with the SYSO Cheer program and feels that his/her request has been denied, s/he should notify the Cheer Board in writing via email (or otherwise) immediately and, if the situation is not addressed by the Cheer Board to his/her satisfaction, shall have the right to pursue his/her remedies in accordance with Article 4, Section 3 of the SYSO by-laws.

A "Cheer Volunteer" means a Sport-specific Volunteer who the Cheer Board has determined provides regular, consistent and substantial services to the SYSO Cheer program during the current year and whose name is listed as such as a Sport-specific Volunteer for SYSO Cheer on the SYSO web site (or on the SYSO Cheer website). A Cheer Volunteer may also be a Cheer Parent.

- e. In the event, there are insufficient volunteers, the Cheer Board may charge members an annual fee to offset the costs of hiring paid providers and to otherwise encourage volunteers by waiving such fee if a Member does volunteer work for the Cheer program or, to the satisfaction of the Cheer Board, volunteers for another SYSO program or the Executive Board or one of its committees.

Mediation Process.

In the event that a Cheer Parent has a dispute relating to the SYSO Cheer program, s/he shall first use diligent efforts to resolve the issue with the applicable coach (or leader of the activity). If the Cheer Parent is not satisfied with the results of such action, s/he shall draft a summary of his/her complaint and submit a written request for consideration of the complaint to the Cheer Board, and the Cheer Board shall address the matter and respond to the Cheer Parent in a reasonable period of time. If the Cheer Parent is not satisfied with the result after appealing to the Cheer Board, then the Cheer Parent shall have the right to seek a mediation of the dispute in accordance with the SYSO by-laws.

Coaching staff may include: 1 head coach, up to 4 assistant coaches and up to 4 demonstrators per team.

The Cheer Executive Board must agree each year that coaches and demonstrators are in good standing prior to returning. Good standing is defined as: timely, knowledgeable, equitable, and trained.

Coaching Staff (Head, Assistants & Demonstrators) must attend training and certification courses when available.

Team Division/ Grade(s)

The following is subject to change dependent upon number of athletes:

K-2; 3-5; 6-8

Article VIII- Funds and Property

Fundraising will be considered as and not limited to: solicitation, sponsors, donations, raffles, events, apparel/merchandise, etc.

Volunteers must seek approval of the Cheer Executive Board prior to organizing a fundraiser

All funds are delivered/ reported to the SYSO Cheer Treasurer

The fiscal year is the calendar year as is through SYSO

All efforts will be made to solicit Town of Somers businesses for bids, etc. Please see SYSO Conflict of Interest as well.

Article IX - Meetings

1. There shall be an annual meeting of the Cheer Parents and the Cheer Board (the "Annual Cheer/ General Membership Meeting") publicized by announcement and held in Somers, New York, at a place and at a time to be determined by the Cheer Board, and notice of the meeting shall be sent to all Cheer Parents via email and posted on the SYSO Cheer web site at least 15 days before the meeting and sent to the SYSO Executive Board; provided, however, that the Annual Cheer Meeting shall be scheduled for the third (3rd) Thursday in March and, in the event of a major conflict, shall be held at the earliest possible date thereafter.
2. The Annual Cheer Meeting shall be organized and run by the Cheer Board, and the purposes of the meeting shall be as follows:
 - a. to review the past season;
 - b. consider amendments, additions, revisions and deletions to these by-laws;
 - c. to answer questions raised by any Cheer Parent during a public comment session;
 - d. to announce needs for various volunteer positions for the following year;
 - e. to select Directors, including a Director to serve as Commissioner (if necessary), in accordance with Article 8 hereof;
 - f. to answer questions and consider issues that may be raised by any Cheer Parent; and
 - g. to address any other matter that the Cheer Board elects to address.
3. The Cheer Board shall hold meetings every two (2) months, at times and locations determined by the Cheer Board, provided that additional meetings may be held as needs arise. All meetings shall be held in Somers, New York, unless a different location is unanimously agreed to by the Cheer Board. Except for the Annual Cheer Meeting, all meetings of the Cheer Board shall be closed to non-Directors except for persons invited to attend by the Cheer Board.
4. Special meetings of the Cheer Board may be called by or at the direction of the Cheer Commissioner or by a majority of the Directors, and notice of such meeting shall be sent to all

Directors (and invited guest(s), if any, via email). Any requirement of furnishing a notice shall be deemed waived by any Director who signs a waiver of notice before or after the meeting, or who attends the meeting without protesting, prior thereto or at its commencement, any alleged lack of notice. Except as hereinafter provided, a majority of the Directors serving on the Cheer Board shall constitute a quorum. Except as herein otherwise provided, the act of the Cheer Board shall be the act, at a meeting duly assembled, by vote of a majority of the Directors serving on the Cheer Board present at the time of the vote, a quorum being present at such time.

5. Any one or more Directors may participate in a meeting of the Cheer Board by means of a conference telephone or similar communications equipment allowing all persons participating in the meeting to hear each other at the same time. Participation by such means shall constitute presence in person at a meeting.
6. Any action required or permitted to be taken by the Cheer Board may be taken without a meeting if a majority of Directors consent in writing to the adoption of a resolution authorizing the action.
7. Minutes of the Annual Cheer Meeting are to be made public by posting on the SYSO Cheer web site; provided, however, that the Cheer Board shall have the power and authority to denote certain matters as being the topic of executive session, and the minutes relating to such matters shall not be made public.

Article X – SYSO Cheer Board

1. Subject to the terms and provisions of the SYSO by-laws, the SYSO Cheer program shall be managed by the Cheer Board, which shall consist of the 4/5 appointed Directors, each of whom has one vote. Unless otherwise provided in these by-laws, the Cheer Board (and persons designated by the Cheer Board, solely to the extent of such designation) shall have full power and authority to act on behalf of, and bind, the SYSO Cheer program in all matters. The Cheer Board shall act by majority vote of the Directors present at any SYSO Cheer Board meeting where a quorum is present, or otherwise as provided in Article 5, Section 6 of these by-laws. Directors shall serve without salary.
2. The term of the Commissioner, who shall also be a Director, shall be four (4) calendar years, subject to the annual review procedure of the SYSO by-laws. The Commissioner shall serve as the Chairman of the Cheer Board and all of its meetings, unless absent.
3. Except for the Commissioner, members of the Cheer Board shall serve for two calendar years, unless a Cheer Board member is appointed to be Commissioner, in which case, his/her term shall restart in accordance with Section 2 of this Article.
4. Notwithstanding the provisions of Sections 2 and 3 of this Article, upon the adoption of these by-laws, the Cheer Board for 2020 shall consist of the following 4 or 5 Directors: Commissioner, Vice Commissioner, Treasurer, Secretary and Public Relations.
5. In January of each calendar year (and throughout the year as and when the Cheer Board deems necessary), the Cheer Board shall appoint officers and fill any other position that the Cheer Board determines may be necessary; provided, however, that upon the adoption of these by-laws, the following individuals shall serve as officers of SYSO Cheer and hold the following titles: Commissioner; VP/ Assistant Commissioner(s), Treasurer; and Secretary; and, provided further, that the office of Commissioner shall be selected in accordance with Article 8 hereof and the positions of Assistant Commissioner, Secretary and Treasurer must be held by a Director.
6. The Cheer Board shall have full power and authority to remove any officer or other person serving the SYSO Cheer program by majority vote; provided, however, that the removal of any Director shall require the affirmative vote of [four (4)] Directors; and, provided further, that any Director who fails to attend three (3) or more regularly scheduled meetings of the Cheer Board

shall be deemed removed from the Cheer Board unless all other Directors then serving on the Cheer Board vote in favor of reinstatement.

7. In the event of a vacancy on the Cheer Board, the Cheer Board shall be authorized to call a special meeting to which all Cheer Parents shall be invited. Such special meeting shall be held and publicized in the same manner as an Annual Cheer/ General Membership Meeting, except that the primary purpose of such meeting shall be to appoint a Director in accordance with Article 8 hereof.

Article XI – Nominations and Elections

1. Prior to the beginning of the season, in February/ March, the Cheer Board shall send a notice to all Cheer Parents seeking volunteers to serve on an election committee (the "Cheer Election Committee") that will assist the Cheer Board with the appointment of the Commissioner (if applicable) and the positions up for appointment to the Cheer Board for the following year. Cheer Parents shall have at least one (1) week to respond to the notice. The Cheer Election Committee shall comprise five (5) Cheer Parents or someone who has previously served on the Cheer Board (a "Past Cheer Board Member") and shall include at least two (2) persons who are not members of the Cheer Board or Past Cheer Board Members; provided, however, that if there are no willing volunteers other than Cheer Board members or Past Cheer Board Members, then there shall be no non-Cheer Board members (or non-Past Cheer Board Members) on the Cheer Election Committee, and if there is only one (1) willing volunteer, there shall be only one (1) non-Cheer Board member (and non-Past Cheer Board Member) on the Cheer Election Committee. Subject to the preceding sentence, the Cheer Board shall appoint members of the Cheer Election Committee; provided, however, that, if more than two (2) Cheer Parents (other than Cheer Board members or Past Cheer Board Members) desire to serve on the Cheer Election Committee (the "Parent Candidates"), the Cheer Board shall hold a special meeting to which all Cheer Parents shall be invited (the "Cheer Parent Election Meeting"). At the Cheer Parent Election Meeting, the Parent Candidates shall have an opportunity to elect two (2) representatives by a plurality vote. If, by the end of the Cheer Parent Election Meeting, the Parent Candidates are unable to finally decide on two (2) candidates as provided above, then the Cheer Board shall select the two (2) Parent Candidates.
2. In March-April, the Cheer Election Committee shall send a notice to all Cheer parents announcing the upcoming appointments to be made at the October Annual Cheer Meeting and shall solicit willing candidates for each such position. Such notice shall specify the email addresses by which to contact the Cheer Election Committee and the Cheer Board and a reasonable deadline by which to respond. A Cheer Parent who desires to run for a particular position must notify both the Cheer Election Committee and the Cheer Board of his/her desire to be considered a candidate for such position on or before the stated deadline.
3. After receipt of all responses regarding candidacy, the Cheer Election Committee and the Cheer Board shall meet to discuss the various candidates and consider whether to seek additional candidates for the open positions. Potential candidates may include current Directors, and all candidates for Commissioner must meet the Office Qualification Minimum Requirements. Once the prospective slate of candidates is established, each candidate will be invited to provide the Cheer Election Committee with a written statement as to why such candidate should be considered for the open position (limited to 300 words). The Cheer Election Committee shall cause all candidate statements to be posted on the SYSO Cheer web site at least fourteen (14) days prior to the Annual Cheer Meeting.

4. At the Annual Cheer Meeting, the candidates for each position shall be presented and each person's candidacy shall be considered. Each Cheer Volunteer in attendance shall have the right to comment on each person's candidacy and to submit a written comment, if so desired, and all such written comments shall be collected for the record.
5. After a reasonable period of comment and consideration (including a recess during which the Cheer Board may meet in executive session along with the Cheer Election Committee), but prior to the end of the Annual Cheer Meeting, the Cheer Board shall appoint the Directors and Commissioner (if applicable) for the upcoming year. If a majority of Cheer Volunteers disagree with the Cheer Board's decision regarding the appointment of Commissioner, such Cheer Volunteers shall have the right to submit notice of their disagreement to the Executive Board for consideration in accordance with Article 12, Section 1 of the SYSO by-laws.
6. The selection of Commissioner shall remain subject to the SYSO by-laws, including, without limitation, Article 12, Section 1 thereof.

Article XII – Notices & Amendments

Any notice to a Cheer Parent shall be deemed duly given if sent to the email (or emails) listed on such person's profile saved in Sports Sign-up (or other registration program then in use by the SYSO Cheer program) and, in addition, such notice shall also be posted on the SYSO Cheer website.

These by-laws may be adopted, amended, revised or repealed by a vote of majority Directors at any Annual Cheer Meeting; provided, however, that (i) notice of all such proposed changes and/or additions to these by-laws must first be sent to all Cheer Parents at least 60 days prior to an Annual Cheer Meeting (the "Amendment Notice"), (ii) the proposed changes and/or additions set forth in the Amendment Notice shall have been presented for discussion at an Annual Cheer Meeting and (iii) no such vote of the Cheer Board shall occur until at least 30 days after the Annual Cheer Meeting during which the Amendment Notice was discussed; provided further, however, that if the Cheer Board unanimously decides that the adoption, amendment, revision or repeal of these by-laws is required by law or on an emergency basis, it shall have the power and authority to schedule, on not less than ten (10) days notice, a special meeting of the Cheer Board to which all Cheer Parents shall have the right to attend, and, during such meeting, such amendment, revision or repeal and be discussed, considered and voted upon by the Cheer Board in a session open to all Cheer Parents. Notwithstanding the foregoing, all additions, amendments, revisions, repeals and other modification to these by-laws shall be submitted to the Executive Board for approval consistent with the provisions of Article 12, Section 11 of the SYSO by-laws.

Article XIII – Other Matters

1. Except as otherwise directed by SYSO Cheer, each member of the Cheer Board, each officer of SYSO Cheer and each Cheer Volunteer made a party to an action or proceeding, whether civil or criminal, by reason of the fact that he or she is or was a member of the Cheer Board, an officer of SYSO Cheer or a Cheer Volunteer shall be indemnified by SYSO Cheer to the full extent permitted by law.
2. The Cheer Board may authorize any officer or officers, agent or agents of SYSO Cheer, in addition to the officer so authorized by these by-laws, to enter into any contract or execute and deliver any instrument in the name of and on behalf of SYSO Cheer, and such authority may be general or confined to specific instances.
3. All funds of SYSO Cheer shall be handled in accordance with the SYSO by-laws.