

BOXFORD ATHLETIC ASSOCIATION, INC.

BY-LAWS

Amended 12/06

PREAMBLE

The Boxford Athletic Association (BAA) is a non-profit organization with duly elected members dedicated to organizing and conducting athletic, recreational, and charitable activities for the residents of the Town of Boxford.

The BAA does not discriminate on the basis of sex, race, color, religion, national origin, marital status, age, sexual orientation, handicap, disability or ability to pay. The Boxford Athletic Association does not tolerate sexual harassment by any participant in its programs, adult or child. The BAA reserves the right to expel or suspend any participant or coach for conduct inconsistent with the policies of the BAA or BAA Standards of Conduct. (See Standards of Conduct, Appendix A).

ARTICLE I: OFFICERS, MEMBERS AND DIRECTORS

1. The Officers of the Association shall be:
 - a) President
 - b) Vice-President
 - c) Secretary
 - d) Treasurer
 - e) Assistant Treasurer
 - f) Immediate Past President
 - g) Legal Director *

The Executive Board shall be comprised of the officers of the BAA. *The Legal director is a non-voting member of the Executive Board.

2. The term of office for all Officers shall be one year, commencing on the first day of January next after the meeting at which they were elected.
3. There shall be up to thirty (30) Members as necessary for the growth of the BAA. This may be re-evaluated due to the Program and Board needs. Terms shall begin the first day of January and are subject to renewal each December based on participation and attendance at monthly meetings per review of the Officers. Membership shall be reviewed by the Executive Board when a member misses 3 or more meetings within a 12-month period.

4. The “Membership” shall consist of the Officers and Members of the Association.
5. Directors for each approved program shall be nominated by the President and approved by a majority of the membership present. A Director must be a Member or Officer of the Association. He/she shall have administrative responsibility and authority for the designated program subject to the by-laws of the Association. All policy decisions are subject to a majority vote of the membership at large.
6. The President and Vice-President may serve a second one-year term, if deemed for the good of the BAA, upon re-nomination and election by the majority of the membership. Other Officers and Members may be elected to more than one consecutive term.
7. Vacancies occurring between annual elections, or not filled at the annual elections, may be filled, by nomination by the President, subject to the approval of a majority of the membership present at the next scheduled meeting. The President will inform the Membership as soon as practicable of the vacancy.
8. Any Officer or Member may be removed from office or the Board for conduct inconsistent with the policies of the BAA, by a two-thirds vote of the membership present at any scheduled meeting, providing that ten (10) days written notice has been given to the Officer or member being considered for removal from office for such action.
9. Honorary membership may be granted to any resident of the Town of Boxford by a majority vote of the membership of the Association present at a duly called meeting. Honorary members shall be entitled to all the rights and privileges of the Association, excluding the rights to vote at meetings and to hold office in the Association.

ARTICLE II: POWERS AND DUTIES OF THE OFFICERS, MEMBERS AND DIRECTORS

1. The President shall preside at all meetings and shall conduct such meetings in accordance with the rules adopted by the Association. He/she shall supervise all business of the Association and shall be responsible to the Officers and Members for the administration of all policies adopted by the Association.
2. The Vice-President shall preside at all meetings in the absence of the President and shall fulfill the duties of the President should the President be unable to perform the duties of his/her office.
3. The Secretary shall keep and be responsible for all records of the meetings of the Association.

4. The Treasurer shall receive and be responsible for all monies paid to the Association and shall keep an accurate record of all monies received and expended. He/she shall submit a report at each meeting or as called for by the President.
5. The Assistant Treasurer shall handle such tasks as may be assigned to the Treasurer. He/she shall fulfill the duties of the Treasurer in his/her absence.
6. The Legal Director shall be licensed to practice law in the Commonwealth of Massachusetts.
7. The President shall appoint Delegates to any program in which the Association participates with an outside group, subject to approval by the membership. The President shall assign to such Delegates the authority necessary to represent the Association at league or organizational meetings. Such Delegates shall vote in accordance with the direction of the Association, or, in the absence of such direction, shall vote in accordance with what they believe the direction of the Association would be.
8. The President shall, subject to the approval of the membership, establish and appoint a Nominating Committee and other such committees as he/s he feels are necessary to carry out the activities and policies of the Association.
9. The President shall nominate a Director for each approved program or activity, subject to the approval of the Membership present at the first meeting of the calendar year. Said Director must be a Member or Officer of the Association.
10. Program Directors shall develop an annual budget for their respective programs. They shall ensure that all coaches and assistant coaches (and lifeguards for the Beach program) have a valid CORI on file with the BAA prior to the start of the program. Directors of sports programs shall ensure that all coaches sign or electronically acknowledge the Standards of Conduct (see appendix A) prior to the start of the season.
11. A Program Director has the authority to refer a coach, parent, or player to the Executive Committee for behavior detrimental to the Program, as defined in the BAA Standards of Conduct document. (Appendix A). Said coach, parent, or player may be temporarily suspended from participation by the Director during the conduct review process. The President shall notify Program Directors if a coach or player has been barred from future participation in a BAA program.

12. Each Program Director shall submit for approval by a 2/3 majority of the membership present, a constitution that shall be in accordance with all of the policies and by-laws of the BAA. Any changes to currently accepted constitutions shall be approved by a 2/3 vote of the Membership.
13. All duties not specifically herein delegated are retained solely by the BAA at large.

ARTICLE III: MEETINGS

1. Meetings shall be held as directed by the President.
2. The annual meeting of the Association shall be held during the month of November each year. At this meeting, the membership shall elect the Officers and Members for the following year. These individuals shall be selected from a slate of candidates prepared by the Nominating Committee and supplemented by nominations from the floor.
3. Programs that the organization supports are to be decided annually by vote of the membership at the first meeting of the new term. The BAA may administer programs that include residents of Topsfield and Middleton in BAA-sponsored athletic and recreational activities.
4. Meetings may be called by the President or may be requested by a majority vote of the membership by written petition to the President. If no action is taken by the President within fifteen (15) days of the presentation of the petition, the petitioners may call the meeting.
5. At any Association meeting, a quorum shall consist of eleven (11) individuals (Officers or Members) providing that at least three (3) of those present are Officers. A majority vote of the Officers and Members present is necessary for approval of any action except as otherwise provided in these by-laws. All policy decisions or modifications of any program are subject to approval by a majority of the membership present at said meeting.

ARTICLE IV: BAA FUNDS

1. The Treasurer or Assistant Treasurer shall issue and sign checks drawn against the Association's account(s) up to and including \$3,500 for any one authorized purpose.

2. Any Association expenditure for an amount greater than \$3,500 is subject to approval. Approval may be evidenced in writing, including but not limited to email or facsimile.

3. Each Program Director shall, at an appropriate meeting of the Association prior to the start of the program activities, present the program plans and a budget proposal for review and approval of the membership. The budget will be presented in the following categories of revenue and expense:
 - Revenues
 - Registration fees
 - Note: There shall be no reduction in fees for families with more than three children in one program.
 - Expenses
 - Other
 - Equipment
 - Uniforms
 - League and Tournament Fees
 - Officiating and Other Personnel
 - Awards and Awards Programs
 - Administration
 - Special Programs
 - Other
 - Budgeted Surplus/Deficit
 - Expected Number of Participants

4. The Treasurer will maintain financial records for each program.

5. Officers and Members shall not receive compensation for services rendered to or on behalf of the Association without prior approval of the Executive Board. Members of the immediate family of such Officers and Members may not receive payment for services rendered to the Association for a yearly amount in excess of \$500 without the prior approval of the Executive Board. Any paying jobs within the BAA shall be publicly posted and filled based solely upon qualifications.

6. A Program Director may at his/her discretion vary the actual expenditures in any category as long as the increase does not exceed 20% of the budgeted sum for that category and the overall program deficit does not vary more than 10% from the amount presented in the budget proposal outlined in item 3 above. Any actual budget variances beyond these limits will require prior approval of the President and either the Treasurer or Assistant Treasurer.

7. A Program Director will arrange for all purchases of equipment and services to be billed directly to the Association in care of the Director. For unusual situations in which, in the opinion of the Program Director, it is advantageous to the Association to purchase goods or services for cash, the Director shall secure the prior approval of the President and either the Treasurer or Assistant Treasurer. Cash purchases of incidentals not included in the approved budget with a cost less than \$200 will be permitted without prior approval. The BAA's tax exempt ID shall be used for these cash purchases.
8. A financial review shall be made each January by the incoming President, the immediate past President, and the Treasurer for the previous calendar year. A written report will be presented to the membership at the February meeting. The report shall state any discrepancies or potential discrepancies between the conduct of the financial business the prior year and the guidelines for such business stated in these by-laws. This report shall serve as a permanent record of the financial status of the BAA on that given date.
9. Returned Checks: The following policy is based on the underlying premise that all Program Directors deliver program check fees to the Treasurer within thirty (30) days of receipt:
 - Any check accepted as payment for a participant's program fee, which is subsequently returned for insufficient funds or as a result of a closed account, shall be subject to the following rules:
 - Any check returned for insufficient funds will be re-deposited by the Treasurer one more time; and if the check clears, that parent's next program enrollment shall not be affected and the BAA will absorb the bank service fee. No further action will be taken.
 - If the participant's check does not clear upon the redeposit or has been returned because the account is closed, a copy of said check will be returned to the maker, together with the Treasurer's formal policy statement requesting the participant to make good on the check and to pay the total assessed surcharges. If the parent does not respond to the Treasurer's letter, the Program Director of the applicable program will be contacted by the Treasurer to deal personally with this collection. If such personal contact is still unsuccessful, the Program Director will deliver notice of this delinquency to the next Program Director's sign-up, and this family will be denied further BAA Program participation until the BAA is reimbursed for fee and surcharge.
10. Refund Policy: Once registration is completed, no refunds shall be issued. In exceptional circumstances, requests for a refund may be presented to the Executive Board for consideration. If a refund is granted, administrative fees shall be deducted.

ARTICLE V: REGISTRATION, ROSTERS, TRY-OUTS, “NO MOVE UP” POLICY

1. Registration: All players must complete registration forms and pay fees by the designated deadline. If a player does not register on time and does not contact the Director or coordinator by the specified deadline, the player can be deemed ineligible at the discretion of the Director
2. Registration Fees: All players shall pay registration fees by the designated deadline. There shall be no reduction if fees for families with more than three children in one program, however families in need of financial assistance should contact the Program Director. If a participant is unable to pay, the applicable fee may be waived or adjusted at the discretion of the Treasurer or Program Director, as no child shall be denied access to a program because of financial hardship.
3. Rosters: All intra-town Programs shall strive for competitive, exciting games, where every team has an equal opportunity to succeed. To achieve this result, players shall be divided equally based on ability. Evaluations may be necessary to ensure proper distribution of talent.
4. Try-Outs: If a Program participates in inter-town play, where leagues are organized by ability, try-outs are required, giving every player a fair opportunity for team placement. Try-outs may also be necessary if a Program does not have enough teams or roster spots available to accommodate all registered players. Evaluators used during the try-outs must recuse themselves during discussion of their child’s placement.
5. "No Move Up" Policy: The Boxford Athletic Association supports a no move-up policy for its athletic programs in all age brackets.

If a Program Director has a circumstance that warrants an exception to the stated policy, for the benefit of the program, he or she can present a written request and reasons supporting the exception to the Boxford Athletic Association's Executive Board. If the Executive Board deems the request in the best interest of the BAA, the affected player or players will be permitted to move up to the next program level.

ARTICLE VI: BIRTH CERTIFICATION

1. Certified/Original Copies: The BAA shall require a certified copy or original birth certificate for any child who participates in a BAA sponsored program that is grouped by age.

2. BAA Permanent Record: The original or certified copy of the birth certificate for the child being enrolled will be copied by the BAA at the time of registration, with the original immediately returned to the parent. The copy shall become part of the permanent record for said child.
3. Misrepresentation of Age: The Executive Board reserves the right to bar a player from BAA participation for the duration of that program and from any other BAA sponsored activity for a period of no less than 6 months and up to one year if a birth certificate has been altered in any way. Any parent who misrepresents their child's birthdate or grade shall be permanently banned from participation in BAA sponsored activities.

ARTICLE VII: DATABASE USAGE, PRIVACY PROTECTION

1. The BAA's registration databases provide an ability to communicate with a wide audience in the local community. Each database is intended for use by the Program Director and other authorized users for the benefit of the BAA. The BAA may use the database of all Programs for communication to its members at large for any matter relative to the interests of the BAA.
2. The registration databases, which are property of the BAA, cannot be used for the personal benefit of any Member of the Association.
3. All electronic communications to large groups within a Program shall be sent through the registration database or as a BCC, so that only the recipient's address appears on the incoming email. This applies to entire age groups, leagues, and Programs.
4. Program Directors and other individuals involved with organizing and communicating player contact information, such as League Directors and Age Group Coordinators, shall make every effort to protect the privacy of the participants by ensuring that each coach only receive information for players on his/her team.

ARTICLE VIII: RECOGNITION AND AWARDS, STANDINGS, PLAYOFFS, TOURNAMENT TEAMS

1. Recognition and awards for children participating in the BAA Programs should be standard for all sports, coordinated by the Program Director, and identified as a line item in the budget. Coaches and parents are strongly discouraged from purchasing awards for their teams.
2. In-Town Play Trophies: Trophies may be awarded to the players of the teams that place first and second in their league for grades 5 through 8. Championship and runner-up trophies cannot be given in situations where there are no playoffs, standings, or post-season tournaments for these age groups, except as otherwise noted. *Note: Some BAA Programs enroll players from Middleton and Topsfield, as well as Boxford. These are considered "In-Town" Programs*
3. Participation Awards: Participation awards may be awarded to all players within an age group or league, provided the awards are included in the annual budget for the program. Participation awards include: certificates of achievement, plaque, a small medal or trophy.
4. League Play With Other Towns: When a team plays in a league that consists of teams outside of Boxford and wins their division, the team members may receive trophies, provided the league does not provide trophies. Boxford teams that place first or second in a post season tournament may receive trophies at the discretion of the Program Director.
5. Teams Consisting of Players From Other Towns: If teams consist of players from other towns and win their inter-town league, it will be up to the BAA Program Director of that sport to determine, at that time, which players will receive trophies.
6. Trophy Size: The bases should be compatible with the figurine. The figurine should not exceed the height listed below without the written approval of the Executive Board:
 - First place: 12 inches
 - Second place: 10 inches

ARTICLE IX: Background Check for Coaches: CORI

Effective September 1, 1999, the Boxford Athletic Association hereby requires that all applicants for any named coaching positions complete a CORI request form for the purpose of conducting a background check through the CORI (Criminal Offender Record Investigations) process. The BAA CORI Committee shall follow all applicable laws regarding CORI requests.

A panel of three (3) members, nominated by the President and voted upon by the Executive Board, will be known as the BAA CORI Committee. One member of the panel shall be designated as the CORI Director. One member should also be a member of the Executive Board; however, this provision may be waived if no member of the Executive Board is able to serve. The term of office shall run concurrent to the President's term. Any vacancies on the panel shall be filled forthwith by the President. Members of the BAA CORI Committee must complete a certification process with the CHSB and be approved by the Commonwealth of Massachusetts as CORI Officers for the BAA.

The identity of the applicant would be known only to the BAA CORI Committee and would come under the provisions of the CORI Statute imposing a penalty of up to one year in jail and a fine of up to \$5,000 for knowingly disseminating information obtained as a BAA CORI Officer.

The BAA CORI Committee will review said CORI background checks on every applicant. If said CORI check reveals convictions for any felonies or past relevant misdemeanors, the applicant will be given the option of withdrawing his/her coaching application or he/she may challenge the accuracy and relevance of a CORI report in accordance with CHSB regulation by filing a written appeal with the BAA CORI Committee. Said appeal should contain the circumstances surrounding the conviction and the reasons why the applicant would make an appropriate coach despite the conviction.

The BAA CORI Committee will then vote as to whether this person should be allowed to coach despite said conviction. Said vote must be unanimous. The CORI Committee may request an interview with the applicant, if appropriate. In the event the Board votes to reject the applicant, the applicant may request a review by the Executive Board in writing. In doing so, the applicant must specifically acknowledge that the Executive Board does not fall under the CORI Statute and thus the confidentiality requirement of the Statute is knowingly and voluntarily waived. However, any member of the Executive Board who does disseminate any such information will be subject to immediate removal from the Board. Upon receipt of such an appeal, the Executive Board will meet forthwith in a special session that must include at least one member of the BAA CORI Committee. The Executive Board may consider whatever evidence the applicant chooses to put before the Board. The Executive Board may overrule the decision of the CORI Committee by a two-thirds (2/3) vote.

ARTICLE X: CHARITY EVENTS, FUNDRAISING ACTIVITIES, CAPITAL CAMPAIGNS

1. An event arranged by a BAA Program with the objective of raising funds for a charity must donate proceeds to duly licensed charity, not an individual. Proceeds are considered all funds collected, less expenses. All such events must be voted upon in advance by the members of the Board.
2. A BAA Program may embark on fundraising activities in order to raise capital for equipment and/or facility improvements that improve the overall experience of current and future Program participants. The intended use of these funds must be clearly presented at the outset of any campaign. All Fundraising activities must be presented at a BAA meeting and be approved by a majority vote of the membership.
3. Over time, a cash surplus may accumulate in a Program account. These funds may be used for capital improvements, provided they benefit current and future participants in the Program. A stated purpose for capital outlay expenses must be accounted for within each annual budget.

ARTICLE XI: GRIEVANCE POLICY

The BAA maintains a formal process for filing grievances. (See Appendix B)

ARTICLE XII: PROCEDURE FOR AMENDING BY-LAWS

These By-Laws may be amended at any meeting of the Association by two-thirds (2/3) majority vote of the Officers and Members present providing the proposed amendment(s) were submitted in writing to the membership for consideration at a prior meeting.

Appendix A

COACHES STANDARDS OF CONDUCT

As a coach in the Boxford Athletic Association program, you are responsible for instilling and promoting confidence and self esteem in all players, regardless of ability or experience in organized sports. **All children should enjoy the experience**, feel they are valued and that they are an integral member of the team on which they are placed. With this in mind, you will find a list of standards which constitute a minimum level of expectations by which you will be responsible to meet.

1. Coaches should strive to play all children a fair amount of time in each game.
2. Starting lineups should be rotated to accommodate all children on an equal basis, regardless of ability.
3. As part of a child’s development, all children should be rotated to multiple positions on the field/court.
4. Coaches should try to build self esteem and confidence through the use of positive encouragement and support.
5. Coaches should offer encouragement, instruction and teaching, not criticism.
6. Coaches are responsible for the proper behavior of the players and parents.
7. Coaches are responsible for managing the score if teams do not appear competitive.
8. Coaches are responsible for communicating schedule and roster information in a timely manner to all team participants, especially in the case of changes due to weather or field locations.
9. Coaches should treat all officials and coaches with respect and accept controversial calls.
10. Coaches are not allowed to purchase trophies. This is done by league officials only.
11. The standards identified above will be monitored throughout the course of the season. Any complaints or grievances will be addressed in accordance with the procedures and policies outline by the BAA.

As a coach in the BAA program, your responsibility is to provide instruction, support and positive encouragement to children. Your involvement in the program can make a significant impact on a child’s experience and attitude toward sports. It is with this in mind that the BAA requests you, as a coach, to adhere to these standards.

Please indicate your acknowledgement and agreement to abide by the Coaches Standard of Conduct by signing below.

Name of Coach: _____
(please print):

Signature of Coach: _____ Date: _____

Appendix B

Boxford Athletic Association Grievance Policy

Any person who believes that they or their child has been adversely affected by the failure of the BAA to follow its own By-laws, rules or procedures may request a formal review of the conduct or procedure. The request must set forth in writing the specific conduct or violation and should be sent to:

The Boxford Athletic Association
P.O. Box 100
Boxford, MA 01921

Within 30 days a member of the Executive Board, as designated by the President, shall respond in writing. If the conduct is ongoing, the member shall make every attempt to respond as practicable. The President may not designate his or herself. A copy of the complaint and response shall be given to each member of the Executive Board three days before the response is mailed to the party. Any member of the Executive Board may by written notice to the President object to the response and the Secretary shall call a Special Meeting. Notice of the Special Meeting will be sent to the members of the Executive Board by the President and said meeting will be held within 10 days of the receipt of the objection.

Should the President deem the allegations in the initial complaint to be ongoing and of a serious nature, the President may call for an immediate meeting of the Executive Board. The President must send a copy of the complaint to all Executive Board members and affected parties, together with notice of the time of the meeting for the purpose of conducting a review of the allegations. Said review should take place within 10 days of the receipt of the allegation by the President.

The written response by the Executive Board members shall further state that any person aggrieved by the decision may file an appeal to the full Executive Board for reconsideration, stating the basis of the objection to the findings. The Executive Board within 10 days of receiving such a request for reconsideration shall vote as to whether to conduct further review. Should the Executive Board vote to conduct further review, the review shall be held within 30 days, with the President giving notice to all parties as to the time and date of said review.

If so voted by the majority of the Executive Board, said review shall be conducted under the direction of the Executive Board with the President presiding and a minimum of 3 members present. The complainant has the right to be present, hear all evidence, and present evidence. Proper remedial action may be ordered by the President upon a majority vote of the Executive Board members present. The President shall vote only in the case of a tie.

Any individual (or in the case of a minor, the parents or legal guardians) with a direct interest shall whenever practicable be put on notice of the allegations, and be allowed to present evidence at the hearing or any further review.

Any person aggrieved by the decision of the Executive Board must serve notice within 10 days requesting a review by the full Board of the BAA, sent first class mail to:

The Boxford Athletic Association
P.O. Box 100
Boxford, MA 01921

The notice shall set forth the objections to the Executive Board's findings and the basis for the appeal. The Board at its next regularly scheduled meeting shall review the decision of the Executive Board and the written appeal. A majority vote shall be taken as to whether the decision warrants further review. Should the Board desire to hear the appeal, said appeal should be heard at the next regularly scheduled meeting. If the appeal presents an ongoing problem that warrants immediate review, the appeal should specifically request an immediate review and a vote shall be taken as to whether to convene in special session as soon as practicable. Any member in accordance with the existing By-laws of the BAA may call a special meeting if the situation warrants. Any person who is a party to the matter can request an outside moderator. If approved by the Board by a majority vote. Said moderator may be allowed to conduct the hearing at said party's expense. Otherwise, the President shall once again preside and vote only in the case of a tie. Should a moderator be chosen, the President would vote as any other member.

The majority vote of the Board is a final decision.