**Toms River Youth Football & Cheer**

***Constitution***

# 1:1.0 NAME

In accordance with a certificate of Incorporation on file with the New Jersey Secretary of State, Commercial Recording Division, the name of this corporation shall be *To be named Toms River Football and Cheer*, herein after referred to as “*TRYFC*” or “*This Corporation*”.

# 1:1.1 USE OF NAME

1. No person affiliated with this corporation may issue any statement, written or verbal which might be interpreted to be an official statement, policy or position of the corporation. Only the President, or his designee, shall serve as the official spokesperson(s) for the corporation.
2. No person or persons affiliated with this corporation may use or indirectly imply the name of “AYF/AYC,” or this corporation for any other purpose except to specifically further the purposes and objectives of this corporation.

# 1:2.0 PURPOSE

The purpose for which this corporation exists to combine the existing the Toms River Raiders “TRR” and the Toms River Indians “TRNI”. The newly combined organization shall secure and coordinate the establishment of a youth sports program, in the designated Toms River Regional school district. To organize, operate, and coordinate programs that promote, encourage, foster, and teach sports, including but not limited to football, cheerleading, and other related program activities and to promote scholastic excellence in concert with these programs.

**1:2.1 RESTRICTIONS**

This corporation shall be non-sectional and shall be forbidden to make any political contributions.

**1:2.2 CONTRIBUTIONS**

This corporation shall be able to make charitable contributions per the discretion of the active board members.

# 1:3.0 GENERAL OBJECTIVES

The general objectives of this corporation shall be to provide constructive and fair programs, to inspire its youthful participants regardless, of race, color, creed, sex, gender, religion, national origin, financial status, or disability; and further to foster, encourage, and practice the ideals of good sportsmanship, scholastic achievement, and physical fitness.

# 1:3.1 SPECIFIC OBJECTIVES

The specific objectives of this corporation shall be provided an opportunity for all its participants to learn the fundamentals of the programs offered and to assure that all participants are afforded the opportunity to participate in a supervised, organized, and safety orientated environment. To maintain and keep the welfare of all participants free of any adult pressures or ambitions to “win at any cost” or personal “glory seeking”. To endeavor to make all its programs “FUN” and “EDUCATIONAL” for the participants, and to maintain rules and regulations that mandate each participant’s participation regardless of their ability; to offer scholastic programming, whereby each participant that shows scholastic excellence, shall be given proper recognition for their accomplishments.

# 1:4.0 AFFILIATIONS AND CONNOTATIONS THEREOF

1. This corporation shall be an autonomous entity and a member Franchise New Jersey American Youth Football, Jersey Shore Conference Inc., hereinafter referred to as HLA (Highest Local Authority).
2. This corporation shall be subject to the Constitution, By-Laws, Rules, Regulations, and administrative Policies of the “HLA”, to the extent that the rules and laws are prescribed and pertain to all franchises within the HLA. Further, the corporation shall be governed by its franchise Agreement with the “HLA”, and Title 15A of the New Jersey Statutes, et. Seq., in all cases to which, said title 15A is applicable, and excepts where same may be inconsistent with the By-Laws of the corporation.

# 1:5.0 MEMBER OF GOOD STANDING REQUIREMENTS

A member shall be considered “in good standing” if the following criteria is met:

1. The member has attended at least one General membership meeting in the past 12 months.
2. The member has paid satisfied all financial obligations including any fines and registration fees that are either paid in full or waived via hardship, or through service as an acting board member, coach or other administrative staff for the organization.

***By-Laws***

**1:1.0 FISCAL YEAR**

The Fiscal Year of this corporation shall be March 1st, to the Last day in February, annually.

# 1:2.0 CORPORATE SEAL

There shall be a corporate seal, which shall be a circular impression, having inscribed thereon, the name of the corporation and the year of the incorporation. Said seal shall be used by the secretary, to certify corporate resolutions and other actions taken by a vote of either the Board of Directors or the General Membership.

# 1:3.0 INSIGNIA-LOGO-TEAM COLORS

The official insignia of this corporation shall include but not be limited to the official insignia of AYF/AYC (National). The logo, mascot, and team colors for all teams and squads of this corporation, and participating in “AYF/AYC” activities, shall correspond with those agreed to by a vote of the General Membership. Currently, but not limited to, White, Silver, Navy, and Maroon accompanied by the teams Insignia.

# 1:4.0 MEMBERSHIP-CLASSIFICATIONS AND REQUIREMENTS OF

This corporation shall have three (3) classifications of general memberships, which shall be Constitutional, Associate, and Honorary. Qualifications and all particulars regarding memberships are as follows:

1. **CONSTITUTIONAL MEMBERSHIPS:** shall be conferred upon parents or legal guardians of all children that are enrolled as participants in any programs offered by this corporation, and they have met the following requirements thereof:
   1. Shall be required to pay the annual registration fees and required mandatory fundraiser, for any participating children, on or before the July meeting annually.
   2. Must have all financial and volunteer obligations satisfied within the current season.
2. **ASSOCIATE MEMBERSHIPS**: Shall be conferred upon persons that are involved in programs offered by this corporation, who upon meeting the criteria set forth to serve as a coach, or other voluntary capacity, demonstrates their loyalties to the purposes and objectives of this corporation.
3. **HONORARY LIFETIME MEMBERSHIPS**: Shall be extended to all past presidents upon completion of their term(s) in office. Pending completion of all terms and they left office and remain in good standing. All other honorary Lifetime Memberships shall be conferred upon persons of good moral character, and of good standing within the community. Conferees shall have been advocates and staunch supporters of the purposes and objectives of this corporation. Honorary Lifetime Membership must either be approved by a unanimous vote of the board of Directors, or a ¾ majority vote of the General Membership present.

# 1:4.1 GENERAL MEMBERSHIP AND VOTING AT MEETINGS

1. The General Membership of this corporation shall be comprised of all Constitutional and Associate members in good standing with the organization.
2. The General Membership may vote on all business pending at any meeting of the same, including but not limited to amendments to these by-laws.
3. Voting for the elected board positions by Constitutional Members requires a 25% attendance at General Membership Meeting for the current year.

# 1:4.2 TERM OF MEMBERSHIP

Start annually and shall run until the last calendar day of March 1st, annually. Except for Honorary Memberships, whose term is defined herein and whose term is perpetual.

**1:4.3 GENERAL MEMBERSHIP MEETINGS** The General Membership of this corporation shall meet monthly except for the month of December, annually. Meeting, times, dates, and locations shall be published on the association website and/or social media accounts.

# 1:4.4 GENERAL MEMBERSHIP MEETINGS

1. The General Membership Meeting agenda will be presented at the beginning of each meeting by the said President, or a designated active board member.
2. A Quorum for a General Membership Meeting shall be a minimum of two thirds Board Members and minimum of (5) General Members.
3. In meetings involving By-Law revisions, overturning a constitutionally or enacted Board a general membership quorum must be present, and a two third majority vote is required to accept and pass changes.

# 1:5.0 BOARD OF DIRECTORS - BOARD COMPOSITION

The Board of Directors of this corporation shall be made up of nine (9) Executive elected officers and twenty (20) appointed officers, which will be appointed by the Executive Board.

The Executive Elected officers (*aka Executive Board*) of this corporation shall be:

1. President
2. Vice President
3. Vice President of Football Operations
4. Vice President Cheer Operations
5. League Representative
6. Treasurer
7. Board Secretary
8. Fundraising Coordinator
9. Sergeant of Arms

The appointed officers of this corporation shall be appointed by the Executive Board. These officers shall be:

1. Football Commissioner
2. Assistant Football Commissioner (as needed per program needs)
3. Cheer Coordinator
4. Assistant Cheer Coordinator (as needed per program needs)
5. Concession Stand Coordinator
6. Insurance Coordinator
7. Scholastics Coordinator (2 total: 1 for Cheer and 1 for Football)
8. Football Equipment Manager (2 total)
9. Flag Football Coordinator
10. Flag Cheer Coordinator (as needed per program needs)
11. Team Parent Coordinator (2 total: 1 for Cheer and 1 for Football)
12. Treasury Assistant (as needed per program needs)
13. Social Media Coordinator
14. Football Representative (2 total)
15. Cheer Representative (2 total)

**NOTE:** additional appointments can be made by both the Vice President of Football Operations and the Vice President of Cheer Operations, if needed, with the advice and consent of both the President and Vice President. These will be known as “Administrative Assistants roles” and have no vote on matters of the Board of Directors.

# 1:5.1 BOARD OF DIRECTORS – QUALIFICATIONS

1. Any person that serves as part of the General Membership of this corporation, that has been part of the General Membership for a minimum of one year and, and considered a member in good standing as outlined in the Constitution via section (1:5.0)
2. Records on file with the Board Secretary and Treasurer of this corporation shall be utilized as the authority by which the corporation shall determine eligibility of any persons nominated to serve as an officer.

# 1:5.2 Board of Directors - Terms of Office

1. All elected officers shall serve for a term of two years or shall serve until such time as their successors shall qualify and take office.
2. Elections for President, Treasurer, Sargent of Arms, League Representative, and Board Secretary will take place in odd numbered years beginning 2023. Elections for Vice President, Vice President of Football Operations, Vice President of Cheer Operations, and Fundraising Coordinator will take place in even numbered years beginning 2024.
3. Elective officials will begin to serve their term on March 1st of the elected calendar year. Should a position become vacant a special election will be required, and the newly elected official will serve out the remainder of the position term.
4. Appointed officers shall serve at the will of the appointee, and only if they remain in that office. The term of an Appointed officer shall be a no longer than one calendar year.

# 1:5.3 Board of Directors – Authority

1. The Board of Directors shall uphold and enforce the Constitution, By-Laws, Rules and Regulations of this corporation and its affiliates. They may set Administrative Policies and pass resolutions, Rules and Regulations that are necessary to guide and manage the business and affairs and to control the assets, property, programs, projects, and activities of the corporation. They shall operate, manage, and maintain themselves in such a manner as to provide for the purposes and objectives of the corporation as stated in this Constitution and By-laws. Further, they shall have absolute authority to solicit contributions and raise revenues necessary to carry out the purposes and objectives of the corporation.
2. A three-fourths majority vote of the General Membership present at a General Membership meeting shall be needed to overturn any action taken in the proper exercise of the authority charged to the Board of Directors in this section.

# 1:5.4 Board of Directors - Attendance at Meetings

1. Any officer who is not in attendance collectively, at three (3) meetings of the Board of Directors, and the General Membership, during their term, without prior notification to the Board Secretary; said officer shall be considered to have voluntarily vacated their office. In which case, the Board Secretary shall send a letter via “Certified Mail” to that officer, appropriately notifying them that the Board of Directors has instructed the President to proceed under the provisions of 1:13.0 as stated below and entitled “Vacancies”.
2. For the purpose of enforcement, any officer who shall be more than 45 minutes late for any meeting without notifying the Board Secretary or an attending Board Member, beforehand, shall be considered to have not been in attendance. If proper notification is given as stipulated herein, said Officer shall be excused and the provisions of this section shall not be applicable.

# 1:5.5 Board of Directors – Meetings

The Board of Directors shall meet regularly in every month except December, to conduct the business and affairs of the corporation. Special meetings may be called by the President or by Petition of three (3) Officers delivered to the Board Secretary.

# 1:5.6 Board of Directors - Quorum

A meeting shall be determined to have a quorum present if seven two thirds majority Board of Directors Meeting. No business may be conducted without a quorum.

# 1:5.7 Board of Directors - Voting

1. On all matters calling for a vote by the Board of Directors, each vote shall be by roll call and the Board Secretary shall record each vote into the official minutes.
2. In “time critical” situations, when certain business cannot wait until the monthly meeting, the President may call for a vote on a particular matter through any means of live interactive communication. ALL MEMBERS of the Board of Directors MUST be notified, and a quorum shall be needed to take a vote. Further, minutes of the “time critical voting session” MUST be recorded by the Board Secretary or in the absence of the Board Secretary; the President shall appoint another officer to record the minutes and voting record of this meeting.
3. No person appointed or elected may have more than one vote on any matter.

# 1:6.0 Officers Duties

The officers of this corporation shall perform the duties that correspond with their respective office, as well as those reasonable duties, which from time to time may be assigned or amended by the President, or Vice President in the absence of the President.

# 1:6.1 President

The President shall serve as the Chief Executive Officer of this corporation and will:

* Attend to the day-today affairs of the corporation
* Preside over all meetings of the Board of Directors and General Membership.
* Serve as an ex-officio member of all committees and shall have powers to appoint committee chairpersons and members.
* Serve as one of three officers authorized as a signer on all bank accounts of the corporation
* Decide on all questions of order, prepare and announce the agenda for each meeting and shall receive and bring to vote all motions properly moved and seconded and shall announce the result of all voting
* Issue executive directives and make other decisions as long they are not inconsistent with the By-Laws and any Administrative Policies of either the corporation or any of its affiliates

# 1:6.2 Vice President

The Vice President will:

* Handle all roster programming for football and cheer, submitting finalized rosters to National AYF/AYC through their mandated roster program
* Supervise and approve all mass communications to participants in the program regarding registration
* Serve as a signer on all bank accounts, along with the President and Treasurer

# 1:6.3 VP Football Operations

The VP of Football Operations will:

* Conduct ALL administrative duties and functions for the football program including but not limited to registration of participants
* Oversee book certification, and submit all books to AFY for official certification
* Appoint all Football staff
* Supervise and ensure Football staff has completed all AFY coaching certifications
* Work hand in hand with the fundraising coordinator on any football fundraising events and opportunities
* Organize any travel arrangements for the football program
* Act as the purchasing agent for all football equipment and uniforms
* Review and approve all Football staff applications
* Assign athletes to their perspective teams
* Coordinate team photo day for the Football program

# 1:6.4 VP Cheer Operations

The VP of Cheer Operations will:

* Conduct ALL administrative duties and functions for the cheer program including but not limited to registration of participants
* Oversee book certification, and submit all books to AFY for official certification
* Appoint all Cheer staff
* Supervise and ensure Cheer staff has completed all AFY coaching certifications
* Work hand in hand with the fundraising coordinator on any Cheer fundraising events and opportunities
* Organize any travel arrangements for the Cheer program
* Act as the purchasing agent for all Cheer equipment, accessories, and uniforms
* Review and approve all Cheer staff applications
* Assign athletes to their perspective teams
* Coordinate team photo day for the Cheer program

# 1:6.5 Board Secretary

The Board Secretary will:

* Document and archive an accurate record of all meetings, hearings, proceedings, correspondence

and official documents of the corporation

* Assist the corporation by keeping an accurate record of attendance and any roll call votes cast by the General Membership
* Receive all bills and forward to the Treasurer for review and consideration, mail, and correspondence on behalf of the corporation
* Generating and distributing all meeting notices, minutes, and official correspondence

# 1:6.6 Treasurer

# The Treasurer will:

* Retain sole care and custody of all moneys and securities of this corporation
* Collect any money due the corporation; inclusive of but not limited to fundraising proceeds and corporate pledges, etc.
* Ensure any excess funds to be deposited into appropriate league accounts with institutions approved by resolution annually, by the Board of Directors.
* Act as the primary signatory on all financial accounts
* Serve as the principal officer charged with the establishment of the annual budget no later than February’s General Membership meeting, and shall oversee strict adherence to the same
* Prepare, distribute, and deliver written reports monthly, to the General Membership and shall be charged with filing all legal statements and forms as may be required by the Internal Revenue Service or the State of New Jersey, Division of Taxation
* Provide records of all financial transactions available for inspection upon demand by the Board of Directors or the General Membership
* Serve as an ex-officio member of any fundraising effort or committee of this corporation

# 1:6.7 Fundraising Coordinator

# The Fundraising Coordinator will:

* Manage and coordinate organizational wide fundraising activities and be responsible for fundraising, including but not limited to spirit sales, gate, 50/50’s, registration fundraiser, etc.
* Solicit donations for the corporation
* Organize Travel Fundraising with the assistance of the VP Football Ops and/or the VP Cheer Ops
* Work with the Team Parent Coordinators regarding all fundraising activities and opportunities
* All fundraising activities must be approved by the fundraising coordinator

# 1:6.8 Team Parent Coordinators

# The Team Parent Coordinator will:

* Act as a liaison between the Board of Directors and all Team Parents
* Establish a chain of communication to facilitate the distribution of all time sensitive information
* Assist the Fundraising Coordinator in implementing organizational wide fundraising, i.e. tagging, candy sales, etc.

**1:6.9 Football Commissioner & Cheer Coordinator**

# The Football Commissioner & Cheer Coordinator will:

* Serve as the program administrators for their respective program areas
* Coordinate play development and overall continuity between all coaches under their charge
* Work hand in hand with the VP of their respective programs in respect to the placement of all participants, within the guidelines established by the Board of Directors of TRYFC, and the HLA.
* Ascertain that all coaches meet the requirements of coaching immediately following their appointment
* Assure that all coaches are aware of HLA rules, specifically, “Lopsided Rule”, “Mandatory Play Rule”, and “Coaches Code of Conduct
* Submit their recommendations for Head Coaches to VP of their respective program for consideration or removal
* Assure that a line of communication is maintained between the coaching staffs and the Board of Directors of the corporation and that the coaches are working to assure that corporate programs, projects, and activities receive 100% support from both the coaching staffs and the participants under their supervision
* Assist with the property and inventory as it applies to their respective programs in concert with their respective coaching staffs, they shall assist with the issuing, collections, conditioning, and certification of uniforms and equipment – Needs further discussion
* Assist with registrations and certifications
* Attend all games played or events cheered (i.e. Road Games, Cheer Competitions, etc.…) to protect the integrity of the game/competition, and behavior of coaches. He will ultimately be held accountable, limited to the Board of Directors, for situations they may escalate out of control
* Designate an Assistant Program Administrator to act on their behalf
* Ensure that game fields are “ready for play” (remove any obstacles, trash, and equipment on the field before each game played)
* Coordinate and organize team picture day

Cheer Coordinator only will also:

* Attend all games or events cheered at (i.e. Road Games, Cheer Competitions, etc.…) to protect the integrity of the game/competition, and behavior of coaches
* Cheer Coordinator shall represent this corporation at all HLA Cheer Coordinator’s Council meetings

Football Commissioner only will also:

* Attend all games or events (i.e. Road Games, Cheer Competitions, etc.…) to protect the integrity of the game/competition, and behavior of coaches
* Football Commissioner shall assist the Vice President of Football in arranging pre-season scrimmages

# 1:6.10 Assistant Cheer or Football Coordinator (as needed)

# The Assistant Program Administrators will:

* Serve at the direction of the Program Administrator in their respective Football or Cheer instructional programs
* Act on behalf of the Program Administrator whenever they are not available

# 1:6.11 Franchise Representative - League Rep

# The Franchise Representative (League Rep) will:

* Represent this corporation at all required NJAYF Meetings, and vote the will of the Board of Directors at those meetings when needed
* Advise this corporation of any new rules, deadlines, and required fees that his franchise may, as a matter of course be required to pay
* Report at all Executive Board meetings as to the proceedings of any HLA membership meetings
* Assist the Football Commissioner in setting up scrimmages and bowl games
* Advise the Cheer Coordinator of any special meetings

# 1:6.12 Scholastic Coordinator

# The Scholastic Coordinator will:

* Collect of copies of all report cards, compilation of grades within in the guidelines set forth by the HLA and AYF/AYC
* File the necessary paperwork with the NJAYF Scholastic Coordinator
* Coordinate various award programs including, but not limited to, scholarship awards and Volunteer of the Year

# 1:6.13 Equipment Managers - Football & Cheer

# The Football & Cheer Equipment Managers will:

* Manage all Property and Inventory for their respective programs
* Assemble, distribute, and replenish all medical kits, ball bags, equipment kits
* Distribute collect, clean, condition, and certify all uniforms and equipment for their respective programs
* Assist the Program Administrators with determining specific equipment/inventory needs to properly provide for their respective programs
* Conduct no less than two (2) “COMPLETE” physical inventories per fiscal year, and report to the Board of Directors a detailed written report listing the complete Property and Inventory of their respective programs

# 1:6.14 Insurance Coordinator

# The Insurance Coordinator will:

* Handle all matters related to insurance of this corporation
* Inform the Treasurer of the costs of insurance no later than the April general membership meeting
* Receive and archive all claims put forth by the participants of this corporation for injuries occurring during program events

# 1:6.15 Concession Stand Coordinator

# The Concession Stand Coordinator will:

* Serve as this corporations coordinator in all matter related to the concession stand
* Arrange all food purchases and apply for accounts when necessary at the Presidents direction
* Maintain and inventory of all food and equipment
* Arranged and receive food deliveries and replenish inventory as needed
* Supervise concession stand volunteers
* Receive all monies collected from the snack stand, and provide to the Treasurer

# 1:6.16 Flag Football Coordinator

# The Flag Football Coordinator will:

* Run all aspects of the Flag Football program at the advice and consent of the Assistant Program Administrator
* Recruit, appoint, and assistant coaches, and coaches training for this organizations Flag Football program

# 1:6.17 Flag Cheer Coordinator

# The Flag Cheer Coordinator will:

* Run all aspects of the Flag Cheer program at the advice and consent of the Assistant Program Administrator
* Recruit, appoint, and assistant coaches, and coaches training for this organizations Flag Cheer program

# 1:6.18 Social Media Coordinator

* The Social Media Coordinator will:
* Post communications on all social media platforms
* Approve comments from members on all social media platforms
* Assist the Fundraising Coordinator with communicating fund raising events to general members
* Report and remote any egregious or defamatory comments made on any social media platforms to the Executive Board Committee
* Create and distribute information highlighting team events, celebrations, and important information regarding the organization to all social media outlets

# 1:6.19 Sergeant of Arms

# The Sergeant of Arms will:

* Collect fines and outstanding dues, and forward any monies collected to the Treasurer
* Ensure order at General Membership meetings, and order anyone causing a disturbance to leave
  + In the event any Member refuses to leave as requested by the Sergeant of Arms, those individuals will have their membership revoked

# 1:6.20 Football and Cheer Representative

# The Football and Cheer Representatives will:

* Serve as the primary liaison to document questions, comments, and concerns from parents/guardians to the Board of Directors
* Relay information from the Board of Directors to parents as needed

# 1:6.21 Treasury Assistant

# The Treasury Assistant will:

* Assist the Executive Board Treasurer
* Confirm that all records provided by the Executive Board Treasurer are accurate

# 1:12.0 Elections - Nominating Committee and Nominations

1. The President shall appoint a Nominating Committee not later than thirty (30) days prior to the January General Membership/Election Meeting. The Committee shall consist of not less than three (3) nor more than five (5) General Members as well as the VP of Football/Cheer on odd calendar years, and the Board Secretary & Treasurer on even calendar years.
2. Those persons that meet the qualifications as set forth in 1:10.2Et. Seq. and titled “BOARD OF DIRECTORS QUALIFICATIONS”, shall submit their names to the Nominating committee for Nomination. It shall be the responsibility of the Nominating Committee to hold a “Candidates Screening Meeting” on or before the annual January election meeting; all persons seeking the endorsement of the Nominating Committee for a specific office shall be given the opportunity to be interviewed by the committee. After all the interviews have been completed, the committee shall decide as to whether or not said candidates meet the qualifications to be elected and then shall consider their recommendation for nomination of those candidates that were interviewed and that qualify, in accordance with these bylaws.
3. The Nominating Committee may at their discretion, choose to recommend to the general Membership a full slate of Nominees (one candidate for each office); or should it be determined that more than one candidate is worthy, the committee may recommend more than one candidate or choose not to make a recommendation at all.
4. Once the Nominating Committee has given its report, the President shall then discharge them from their duties. At this time, the President shall open the meeting to nominations from the floor. Nominations shall be taken for each office separately and the President shall entertain a motion to close nominations for each office in kind. Nominations shall be taken in the exact order of which these offices are listed and appear in 1:10.0 (A) and entitled “Executive Board of Directors”.
5. Nominations from the floor must be seconded and all persons nominated must either be in attendance or a notification of intent to run and/or availability to serve must be received by the Board Secretary, in writing, prior to the commencement of balloting for that office. Nothing herein shall be construed as to preclude anyone from seeking or being nominated for more than one (1) office; however, no one may be elected to more than one office on the Board.

# 1:12.1 Elections - Balloting

1. Balloting for the election of officers shall take place at the January General Membership/Election meeting annually. Balloting for each open office shall be done at the following General Membership meeting. Balloting shall commence in the exact order in which these offices are listed and appear in (1:10.0(A)) and entitled, “Board of Directors.”
2. If there are no contested offices for election, a motion may be made of the Board Secretary to cast a “unanimous ballot” for each uncontested office. This motion must be seconded and if there are no objections, the motion is carried.
3. Under no circumstances shall Proxy balloting be allowed.
4. A nominee must receive fifty percent (50%), plus one vote majority of the total eligible vote’s cast in order to be elected to office. In contested elections, should no one candidate receive the majority of eligible votes to be elected the nominee with the fewest eligible votes will be eliminated and a second or subsequent ballot taken until one nominee receives the majority needed to be elected.
5. Challenges to the election results must be registered and must be resolved prior to the adjournment of the Election meeting or the elections will stand. Any such challenges shall be heard by any officers not up for election or reelection. The only acceptable challenges shall be to perform a recount of the ballots, qualifications of nominees and certifications for members allowed to vote. No other challenges shall be allowed.
6. In the event of a “tie breaker” the President will make the decision of which candidate will be elected to serve.

# 1:13.0 Impeachment - Removal From Office

1. For the purpose of clarification, the words “for just cause” are used herein, shall mean, “for failure to perform the duties of their respective office”, or for actions that in the opinion of those bringing the charges, would deem that party “unworthy of continuing to serve in the capacity of an officer of this corporation.”
2. An officer of this corporation may be removed from office “for just cause” by a three-fourths majority vote of the General Membership present, and provided that specific charges have been presented in writing. Said charges must be presented to the Board Secretary.
3. Written notice must be given to the officer to be removed from office with twenty (20) business days in which to respond and answer all charges. Notices of Impeachment shall state the charges along with the date, time and location of the Impeachment Hearing. Both parties shall have the right to be represented by an attorney and the Board of Directors shall set the rules of propriety for the hearing.
4. An appointed officer may also be removed by the appointee, without “Due Process”.

# 1:14.0 Parliamentary Authority and the Conduct of Meetings

1. All meetings of this corporation shall be governed by these By-Laws and to a lesser extent, at the determination of the Board of Directors, Robert’s Rules of Order, in its most current edition, may be consulted and if so determined, may also be used as a guide.
2. The conduct of each meeting shall be at the discretion of the President. He shall rule on all questions of order and shall be charged with conducting each meeting according to the laws of democracy, under which laws, every person who wishes to speak, shall be heard and that in every matter considered, the best opinion shall prevail, through the expressed will of the majority, and the best course of action taken.
3. A majority vote of the General Membership present shall be needed to overrule the President with regard to and decision made by him on questions of order or conduct of the meeting. Motions to overrule must be properly moved and seconded.
4. A motion to reconsider or the reconsideration of any motion or business that was previously considered and disposed of before the General Membership, at any time during the Fiscal Year, shall require a ¾’s majority vote of the General Membership present to be reconsidered and shall require an additional three-fourth’s majority vote for passage of that motion or business.

# 1:15.0 Property

The following items, digital or otherwise, are hereby property of this corporation.

1. Domain name associated with Toms River Regional Athletics, Toms River North Indians, and Toms River Youth Football and Cheer.
2. Email address associated and all accounts linked, not limited to telephone numbers, email, and social media outlets.
3. Any and all passwords to listed accounts. These are to be kept by the President and appropriate Executive Board Members, shared with the appropriate board member, and must be surrendered to the incoming President or appropriate Executive Board members as needed.
4. All financial accounts held by any institution that contain funds deposited for use by this corporation.
5. Any equipment purchased for the purpose of running day to day operations as well as concession stand.
6. All equipment used by participants including, but not limited to uniforms, protective pads, helmets, and field equipment.
7. All trophies and awards won by teams under this corporation’s name.
8. All property of this franchise’s predecessor corporations described above as described above.

# 1:16.0 Disposition of Funds and Property

1. None of the funds, assets or property of this corporation shall be divided among its officers, trustees, directors, or members. In the event of the dissolution of this corporation, its assets shall be delivered to the HLA, for even distribution between the existing Franchises. If this is forbidden by state and/or municipal law, said assets shall be delivered to the HLA and set aside for distribution to the franchise that is set up to service the dissolved corporation’s territory.
2. Any entity in receivership of the assets and property of this corporation, and in the event of dissolution shall enjoy exempt status in accordance with the provision of Section 501(c)(3) of the Internal Revenue Code; either as it currently exists or may be amended.

# 1:17.0 Amendments

1. This “CONSTITUTION” may be amended, revised or changed by a two-thirds (2/3) majority vote of the General Membership meeting where Quoram is established provided that such proposed amendments, revisions or changes be delivered in writing to the By-Laws/Rules Committee for their consideration and disposition via the Board Secretary.
2. The Board Secretary shall forward all proposed amendments, etc., to the By-Law/Rules Committee. Upon receipt, the committee shall review said amendment proposals and make a report to the General Membership, as to their findings and recommendations in the matter being considered.
3. The committee may recommend the passage of the amendments, etc., revisions or changes as received; or they may recommend further changes, an alternate proposal, or at their discretion, they may opt to take no action at all, in any case, no amendment, revision or change shall be presented to the General Membership for consideration, that hasn’t received prior approval from the By-Laws/Rules Committee.
4. Those amendments which are approved by the By-Law Committee shall be read to the General Membership at the next scheduled meeting. At the subsequent meeting, the President shall allow a brief hearing or discussion with the General Membership, with a fixed time limitation. When that fixed time limitation has elapsed, the matter shall be called, and a vote taken. If there is no quorum present, said matters may be held over for a subsequent meeting until such time that there is a two thirds Board of Directors quorum present.
5. No provision or section of these By-Laws may be waived, revised, changed, or amended except as provided for in this section. Further any motions to suspend any of the By-Laws of TRYFC may be ruled frivolous and out of order by the President with Board consent.
6. Any amendment, revision or change to these By-Laws, that are approved by the General Membership, shall be done pending final approval of the HLA. After consideration by the membership, the Board Secretary shall forward the same to the HLA for their consideration and approval. Only those portions of these By-Laws which are not approved by the HLA shall be void pending reconsideration by the membership. All other unaffected portions shall remain in full force and effect.

**ATTEST:**

**Notice is hereby given that the provisions of the “CONSTITUTION” and “By Laws” were drafted, amended, and approved by the By-law committee at a By-law committee meeting, and were approved by the General Membership vote on this XX day of XXX, 2021.**

**Susan Martin**

**Board Secretary**