

# **BY LAWS OF THE CORNING UNITED SOCCER CLUB**

## **I. Purpose and Definitions**

### **1. Purpose:**

The purpose of this organization, which shall be named the Corning United Soccer Club, shall be to provide program design, organizational structure, logistical support, and facilities for youth soccer teams based in the Corning - Painted Post, New York area. They will be eligible to compete with other teams organized for competition under the auspices of the New York State West Youth Soccer Association. The Club will operate as a not for profit organization, and will also promote the appreciation of and involvement in the sport of soccer in the Corning - Painted Post area.

### **2. Definitions:**

- (a) CUSC: Corning United Soccer Club
- (b) Club: Corning United Soccer Club
- (c) NYSWYSA: New York State West Youth Soccer Association:
- (d) USSF: United States Soccer Federation
- (e) Board: Board of Directors of the Corning United Soccer Club

### **3. Principal Office:**

The principal office of the Corning United Soccer Club for the transaction of its business is located at PO Box 136, Painted Post, New York. The CUSC members may designate different offices from time to time.

### **4. Fiscal Year:**

The Fiscal Year of the organization shall begin on September 1st and end on August 31<sup>st</sup> of each year.

### **5. Affiliation**

The CUSC shall affiliate with the New York West Youth Soccer Association in conjunction with the United States Soccer Federation. In consequence of that affiliation, CUSC members, players, coaches, and personnel shall adhere to: rules, regulations, and bylaws of those associations to the extent applicable to their activities connected with the CUSC as follows:

- (a) Membership: The membership of the CUSC shall be open to any soccer players, coaches, managers, administrators, and officials not subject to suspension under Section 4 of Bylaw 241 of the USSF Bylaws.
- (b) Governing Documents: The USSF articles of incorporation, bylaws, policies and requirements take precedence over and supersede the governing documents and decisions of the CUSC to the extent applicable under state law, and the CUSC will abide by those articles, bylaws, policies and requirements.
- (c) Interplay: The CUSC will abide by the USSF's articles, bylaws, policies and requirements on interplay.
- (d) Hearing and Appeal Procedures: The CUSC will provide equitable and prompt hearing and appeal procedures to guarantee the rights of individuals to participate and compete. These procedures shall include that all grievances involving the right to

participate and compete in activities sponsored by the USSF, and NYSWYSA, and the CUSC may be appealed to the USSF's Appeals Committee in accordance with NYSWYSA bylaws and policies. The Federation's Appeals Committee shall have Jurisdiction to approve, modify or reverse a decision. A decision rendered by the CUSC or the NYSWYSA from which an appeal is taken is not suspended pending the final decision of the Federation's Appeals Committee unless the Committee otherwise ordered. The decision made by the CUSC or the NYSWYSA may be upheld, revised, or reversed and remanded.

## **II. Membership and Annual Meeting**

### **1. Nondiscrimination Policy:**

The organization shall not discriminate against any individual or group of individuals on the basis of race, color, age, sex, religion, national origin or sexual orientation.

### **2. Qualifications for Membership:**

There shall be a single class of members. Each fiscal year, the Board of Directors shall identify the member of the CUSC by means of its registrations of youths and adults seeking to either volunteer or work in some capacity with the CUSC or to become members of a CUSC team for that year. Each volunteer who completes a Volunteer Disclosure Statement for the CUSC shall be granted membership in the CUSC upon receipt of said statement. Each volunteer member of the CUSC is entitled to only one vote in all proceedings of the organization. Each youth whose participation registration is accepted, and who is assigned to a team, shall be entitled to be represented by a single person who will be eligible for membership in the CUSC. That person must be eligible to sign the player's registration form. By so indicating in a space or checkbox provided on the registration form, such person may elect to become a member of the CUSC. Any person who becomes a member of the CUSC in this manner shall be accorded voting and quorum weight in all proceedings equal in number for the number of registered participants for whom that person is the designated representative. Thus, and by way of example, a member parent or guardian who registers three children to play in the organization will be entitled to three votes in the membership proceedings. All members of the CUSC must be at least 18 years of age as of the date of registration.

### **3. Length of Membership:**

Each person granted membership upon receipt of a properly completed Volunteer Disclosure Statement will remain a member of the CUSC for a period of two (2) years from the date of receipt of this statement. Each person who becomes a member by signing a player registration form remains a member only for the one fiscal year for which the form is filed.

#### **4. Termination of Membership:**

The membership of any member shall be terminated upon death, or the member's written request for termination delivered to the president or secretary of the Club, or upon the member's expulsion by the Board. On termination of membership, any right, title, or interest of the member in or to the property and assets of the association shall cease.

#### **5. Suspension and Expulsion of Members:**

- (a) Grounds for Suspension or Expulsion: Any member may be suspended or expelled from the CUSC for willful infractions of the CUSC rules or of any bylaw, or for acts of conduct that the Board may deem disorderly, injurious, or hostile to the interests or objectives of the CUSC. The Board must give notice to such offending member of the proceedings against him or her and he or she is provided an opportunity to be heard in their own defense.
- (b) Initiation of Suspension or Expulsion: Proceedings under this section shall be initiated by resolution of the Board or on complaint against any member signed by ten (10) other members and filed with the Secretary. On adoption of the resolution or receipt of the complaint, as the case may be, the Board shall schedule the matter to be heard at the first regular, or a special, meeting of the Board. The Secretary shall deliver to the accused member, at least five (5) days prior to the date of the hearing, a copy of the time and place of hearing.
- (c) Hearing: The President shall preside at such hearing and shall read the charges against the accused member. Such member shall be allowed to make a statement in his or her own behalf, question opposing witnesses, and call witnesses on his or her own behalf.
- (d) Determination of Hearing: The Board may, by the affirmative vote of a majority of its members, request the offending member to resign or may suspend or expel the member. Should he or she decline to resign following such request, the Board shall strike the member's name from the rolls.
- (e) Proceedings: All such proceedings shall be in compliance with the requirements of the USSF and NYSWYSA per Bylaw 11.

#### **6. Annual Meeting of the Corning United Soccer Club**

- (a) Date of Annual Meeting: The annual meeting of the association for the election of members of the Board and the transaction of the general business of the Club shall be held on the second Tuesday of November at 7 PM at Erwin Valley School, Erwin or at another suitable place or time specified by Board of Directors. Notice of the annual meeting, including starting time, location and agenda shall be communicated to the membership no less than ten (10) days in advance thereof.
- (b) Special Meetings: Special meetings may be called at any time by the president. In the absence of the President, the Vice-President or Secretary will call the meeting on written request of a majority of the Board. Ten (10) days' notice of any special meeting must be given to the members of the CUSC. The notice must state the starting time, location and agenda of the meeting.
- (c) Quorum, Proxies: Club members present shall constitute a quorum at meetings of the CUSC. Any member may designate another person by written proxy to attend a meeting of the Club and to vote in the place and stead of the member. All proxies shall be presented to and recorded by the Secretary of the Club prior to the commencement of the meeting. The member must sign the proxy designation and

identify the designee but need not otherwise be in any particular form. The Board shall have the power and duty to determine the sufficiency of any proxy recorded by the Secretary in the event of an objection raised against it by another member, and such determination shall be final. Upon notice from the Secretary, members may also email or fax their votes to the Secretary, and such votes shall be counted toward the quorum.

(d) Order of business: At the annual meetings of the CUSC, the following shall be the order of business:

- Roll call
- Elections
- Proposed bylaw amendments
- Such other business as may be brought before the membership on motion of any other member duly made and seconded.

### **III: The Board of Directors**

#### **1. The Board of Directors as Governing Body:**

A Board of Directors shall govern the organization. The Board shall have the power to adopt such policies and authorize such actions as it shall determine to be appropriate for the furtherance of the stated purposes of the association. It shall be subject only to such limitations as may be contained in its Bylaws, the laws of the United States, or the laws of the State of New York. Unless the Board may otherwise provide by resolution duly adopted, Roberts Rules of Order shall govern the conduct of its proceedings.

#### **2. Composition and Term of Service:**

The Board of Directors shall consist of no less than six members. The exact number determined by the Officers of the CUSC each fiscal year, prior to the annual meeting. Members of the Board shall also serve as Officers of the CUSC as detailed in Bylaw IV. The term of the Board members shall be 2 years, with the term of approximately half of the Board to expire in an even year and the remaining members in an odd year.

#### **3. Election to the Board:**

Election of the Board shall be by ballot of the members at the annual meeting of the CUSC. A plurality of votes cast will be required to elect. No person shall be eligible for election to or service on the board who is serving as a head coach of any CUSC team. Acceptance of a head coaching appointment by a Board member shall constitute the resignation by that member from the Board of Directors resulting in a vacancy. Vacancies occurring on the Board will be filled until the next annual election by vote of the remaining members of the Board.

#### **4. Nomination Committee:**

In June of each year the Board will appoint a nominating committee to consist of a minimum of three members of the CUSC. At least six (6) weeks before the annual meeting, the committee will advise the Secretary of its nomination of candidates for the vacancies in the Board to be filled at the next annual meeting. The Secretary will mail notice of these nominations to the members of the Club. Other nominations may be made at the annual meeting. The Secretary shall give notice of these nominations to the members of the Club at the meeting, and they shall be eligible for election.

#### **5. Management of CUSC Property:**

Property of the association may be used in accordance with the directions of the Board. The Board shall not incur any debt or liability, or any combination of debts or liabilities, exceeding the net assets of the association. All disbursements of Club funds shall be by check which shall be signed by any two officers if in an amount exceeding \$2000.00 and by any one officer if in an amount less than \$2000.00

#### **6. Insignia, Colors, Badges and Flags:**

The Board may adopt insignia, uniform styles, colors and emblems, and flags for the Club, as it deems suitable.

#### **7. Signatures on Contracts and Formal Documents:**

Contracts and formal documents will be signed by two officers of the Club, or by two of its members whom the Board shall designate.

#### **8. Meetings of the Board of Directors:**

- a) Regular Meetings: Regular meetings of the Board will be held on the dates and the times designated by the President. A minimum of four meetings will be held each year.
- b) Special meetings: The President may call a special meeting of the Board at any time. A special meeting must be called on the written request of any two (2) members of the Board. At least two days notice must be given to the members of the Board. The notice must state the objective(s) of the meeting.
- c) Quorum: A minimum of 50% of the Board members shall constitute a quorum at meetings of the Board.
- d) Attendance: Any member of the Board who is absent from two (2) consecutive meetings without presenting a satisfactory excuse shall be deemed to have resigned as a member of the Board and shall cease to be a member of the Board. Such member may, however, be reinstated by a majority vote of the Board.
- e) Order of business: At meetings of the Board, the following shall be the order of business:
  - Roll call
  - Minutes of preceding meeting and actions
  - Treasurer's Report
  - Reports of officers and committees
  - Unfinished business
  - Committee Reports
  - New business
  - Summary of action items.
  - Date, time and location of next meeting

### **IV. OFFICERS**

#### **1. Designation of Officers:**

The officers of the Board shall be a President, Vice-President, Secretary, and Treasurer. The officers will be appointed annually by the CUSC Board of Directors from among its members, and will hold office until their successors are appointed. The term of the officers shall be two years, with the term of the offices of President and Secretary

expiring in odd years, and the offices of Vice President and Treasurer expiring in even years. Any active member of the Board shall be qualified to be an officer of the Club. Officers will not be eligible to hold more than one office in the CUSC.

## **2. Duties of the President:**

- a) Presiding officer: the President (or in the absence of the President, the Vice President) shall preside over all meetings of the CUSC and its Board of Directors. In the absence of both, a temporary presiding officer shall be elected from among the members present. The President shall have a primary responsibility for execution of the policies adopted and actions taken by the Board. The President shall likewise have the authority to enforce the rules and regulations of the CUSC in the manner therein specified.
- b) Appointing Committees: The President shall appoint all committees of the CUSC and of the Board, unless it is specially provided or ordered otherwise by the Board.
- c) General Supervision: The President shall exercise a general supervision over all of the affairs of the CUSC.
- d) Ex-Officio Member of the Committees: The President shall be a member, ex officio, of all committees, but shall be counted in determining a quorum. In the absence of the President, the Vice-President may serve.

## **3. Duties of the Vice President:**

In the absence or disability of the President, the Vice-President shall perform all duties of the President. In so acting shall have all powers of, and be subject to all restriction, the president.

## **4. Duties of the Secretary:**

The Secretary shall keep a complete record of all proceedings and correspondence of the CUSC and its Board. The Secretary shall send notices of meetings to the members and Board as required. The Secretary shall keep a membership roster containing the addresses of each member of the club, date, and manner of termination of any such membership. The Secretary may also elect to serve as Registrar, or may appoint another club member to perform those duties. The Secretary shall also perform all other duties usually assigned to the office of the Secretary.

## **5. Duties of the Treasurer:**

The Treasurer shall keep the books and accounts of the CUSC, and shall perform any other duty usually assigned Treasurer. The Treasurer shall make payments only for bills properly approved by the Board, and shall cosign with another officer all checks drawn on the accounts of the CUSC for amounts exceeding \$2000.00. In the absence or incapacity of the Treasurer, the Treasurer's power to sign checks may be delegated by the President or Vice-President to another member of the Board.

## **6. Committees**

The Officers and Board of Directors shall establish committees, their duties and the number of members needed on each annually as required to operate the CUSC. The Board will also determine annually who on the Board will be responsible to ensure that these activities are completed.

- (a) Regular Committees (may include but are not limited to the following):

- Coaches, assignment of team managers
- Fields
- Uniforms

- Tournament Coordinator
  - Indoor Program Coordinator
  - Twin Tied Travel League Representative
  - Publicity
- (b) Special Committees: Special committees may be appointed from time to time by the council or President to consider and report to the council on subjects requiring investigation or special action.
- (c) Appointment, Tenure: Committee members shall be appointed by the President to hold office until relieved if the Board so requests.

## **V: Amendments**

### **1. Amendment by the membership:**

These bylaws may be amended by the affirmative vote of a majority of the members voting at any regular or special meeting of the CUSC. Notice of such amendment or amendments and their nature shall have been given to the members of the association at least ten (10) days prior to the date of the meeting at which such amendment or amendments are to be presented for consideration. Any adopted amendments to the bylaws shall be binding on all members, including those who voted against them. Members not present at such meeting may vote upon such proposed amendments by letter, fax or email addressed to the secretary.

### **2. Amendment by the Board of Directors:**

The bylaws may be amended by a unanimous vote of the Board of Directors, provided that notice is given to the membership within ten (10) days of the amendment, and the membership is allowed to vote on the amendment at the next annual meeting.

## **IV: Dissolution**

This association may be dissolved by the vote of a simple majority of its members. In the event of dissolution, the property of the association shall be distributed by transfer to the New York State West Youth Soccer Association, or to other such non-profit organizations as the Board of Directors shall determine by resolution.

## AMENDMENTS

### May 25, 2004 – Amendment 1

#### **Section II, Paragraph 2 – Membership and Annual Meeting, Qualifications for Membership:**

Following sub-paragraphs added:

- (a) Scholarships: Full or partial scholarships covering membership dues and uniform fees and scholarships of up to 75% of actual fees for participation in Club-approved tournaments will be offered to players who express a need for financial assistance. These scholarships will be offered, provided there is sufficient funds available in the Club's General Fund. Eligibility for scholarships will be determined by the Club Registrar, as authorized annually by the Board of Directors.
- (b) Special Scholarships: From time to time, at the discretion of the majority of the Board of Directors, the club may offer assistance to players wishing to attend Club-approved soccer camps. These scholarships will be funded through donations to a separate Scholarship Fund. Funds from the Club's General Fund may not be used for these scholarships.
- (c) Use of Guest Players in Club-Approved Tournaments: To be rostered on a Club-approved tournament team, the guest player must meet the following criteria:
  - He or she must be a member of another club and hold a player pass valid for use in the tournament (as governed by the rules of the tournament). As a member of another club, the guest player must furnish written proof from the member club that the player is covered under the club's insurance policy.
  - He or she must become a formal member of the Corning United Soccer Club either through payment of Club membership fees (a special guest player fee may be established by the Board of Directors) or scholarship (as governed by Club bylaws concerning the issuance of scholarships).

#### **Section II, Paragraph 4 – Membership and Annual Meeting, Termination of Membership:**

Following sub-paragraph was added:

- (a) Voluntary Withdrawal: Registered players who withdraw from the Club before his or her team's roster has been certified and/or his or her player pass has been issued, will be issued a full refund of all membership fees paid. Uniform fees also will be refunded, as long as no uniform has been purchased for the withdrawing player. If a player withdraws from the club after his or her team's roster has been certified and/or his player pass has been issued, the Club is not obligated to refund any fees paid. Any exceptions to this rule must be formally approved by a majority of the Board of Directors. Players who withdraw from the Club – either before roster certification or afterwards will be ineligible to be rostered on any Club-sanctioned tournament team.