



2017
Florida Elite
Football & Cheerleading
Bylaws

BYLAWS OF Florida Elite Football and Cheerleading, Inc.

ARTICLE I – NAME AND PURPOSE

Section 1.1 - The name of the organization shall be Florida Elite Football and Cheerleading, Inc. It shall be a nonprofit organization incorporated under the laws of the State of Florida.

Section 1.2 – Florida Elite Football and Cheerleading, Inc. (the organization) may conduct business as “Florida Elite Football”, “FEFC”, “Florida Elite Youth Football” or “Florida Elite Football & Cheerleading”.

Section 1.3 – The Florida Elite Football and Cheerleading, Inc., hereinafter referred to as “Corporation”, is organized exclusively for charitable, educational and scientific purposes, including, for such purposes, the making of distributions to organizations that qualify as exempt organizations under sec. 501 (c)(3) of the Internal Revenue Code, or corresponding section of any future federal tax code.

Section 1.4 – The purpose of the Organization is to serve student-athletes in ages 4-15 to provide them with an opportunity to achieve their maximum potential both athletically and academically. In addition, the organization will promote the development of education, leadership, character, sportsmanship, tolerance, discipline, and athletic ability. The Organization will nurture fitness, volunteerism, and a lifelong love of sports in the community.

Section 1.5 – To increase community cohesiveness the Organization will host several community service activities annually, participate in tutoring and mentoring programs as well as social events for the youth.

ARTICLE II – FINANCE

Section 2.1 – Funds of the Organization in excess of two hundred dollars (\$200) may be withdrawn from the Bank with any two (2) of the following signatures: Treasurer, President and or appointed executive board member (appointed by the members).

Section 2.2 – The fiscal year of the Organization shall be the calendar year or such other period as may be fixed by the Board of Directors.

Section 2.3 – The Treasurer shall present a financial report at each board meeting. The next year’s budget must be presented and approved at the annual board meeting that will be held in January.

Section 2.4 – The Organization shall keep correct and complete books and records of account. At least once per year the Board of Trustees will, at its discretion, provide for a review or audit of the Organization’s books by an independent auditor or law firm appointed by the Board of Trustees.

Section 2.5 – The funds and assets of the corporation shall be used solely for the purposes of the corporation as set forth in Section 1.3 of these bylaws. No part of the corporation’s funds may be used for propaganda or influencing legislation. No part of such funds, assets, and earnings of the corporation shall inure to the benefit of or be distributable to any member, director, officer, or other official of the corporation.

Section 2.6 – Conference dues are eight-hundred dollars (\$800.00) and shall be paid upon request, annually by all associations. Dues will be annually reviewed and decisions to stay, raise, or lower shall be voted on by all voting members. Dues are an administrative fee assessed to all FEFC used for the day to day operations of the conference expenses. Insurance coverage costs shall be paid in addition to Conference dues, by each league organizations.

ARTICLE III – INSURANCE

All FEFC league associations must have current medical and liability insurance before official practice begin in the month of July. FEFC requires all leagues to purchase medical and liability insurance premiums and they are due by July Meeting. Failure of any league to show proof of insurance by the July monthly meeting will result in the league being removed from the conference.

ARTICLE IV – MEETINGS

Section 4.1 – The annual meeting of the Organization shall be held during January of each year. The time and place shall be fixed by the Board of Trustees and notice thereof mailed to each active member at least thirty (30) days before said meeting. At the annual meeting, members may submit non-binding resolutions to the Board of Trustees. They shall be passed by a majority vote of the members present.

Section 4.2 – Additional/emergency meetings may be held if they meet the following criteria:

- A. Notice of a special membership meeting shall be mailed/emailed to each member at least ten (10) days prior to such meeting.
- B. Board meetings shall be called by the President upon written application of three (3) members of the Board of Directors. Notice (including purpose of the meeting) shall be given to each Director at least three (3) days prior to said meeting.
- C. The President may call committee meetings any time.

Section 4.3 – A majority of the members and a majority of the Board then in office shall constitute a quorum for the transaction of business at meetings of the membership and the Board. At committee meetings, a majority shall constitute a quorum.

Section 4.4 – Each Director shall have one vote. All voting at meetings shall be done in person, unless otherwise conducted by conference call. This must be agreed upon by quorum and no proxy shall be allowed.

Section 4.5 – Each President is expected to attend all regularly scheduled meetings. If he/she is unable to attend, the president must send a board member from their respective organization to represent the organization. This representative will be allowed to vote on behalf of the organization in the absence of the president.

ARTICLE V – GOVERNANCE

Section 5.1 – The governance of the Organization shall be vested in the Board of Directors. The board is responsible for overall policy and direction of the association, and delegates“ responsibility of day-to-day operations to the staff and committees. The board receives no compensation other than reasonable expenses. In addition, Directors serving the organization in any other capacity, such as staff, are allowed to receive compensation therefore.

Section 5.2 – The Board of Directors will be composed of up to thirteen (13) and no fewer than seven (7) individuals as determined by the Board of Directors and Directors shall serve until their successors are appointed. The Board of Directors shall be divided into three (3) classes, A, B, and C. There shall be no more than one (1) class A Director. Class A Director shall serve for a five-year term that shall gentry last year of term. There shall be no more than five (5) class B Directors. Class B Directors shall serve for a three-year term. There shall be no more than seven (7) Class C Directors. Class C Directors shall serve for a two-year term.

Note: All Director Terms shall commence from 2017.

Section 5.3 – The Board of Directors that are considered the Class A and B Directors for the corporation which shall consist of the following: Class A-President, Class B-Treasurer, Vice President, and two (2) Directors appointed and classified Class B by the President. The Executive Board members that are considered the Class C Directors for the corporation which shall consist of the following: Secretary, Public Relations, Athletic Director(s) of Cheer and Athletic Director(s) of Football. The Executive Committee shall act for the Board between regular meetings of the Board, or in the absence of a quorum thereof, except with respect to Bylaw amendments. A majority of members of the Executive Committee shall constitute a quorum.

Section 5.4 – The Board of Trustees are the original teams that merged to create Florida Elite Conference. The organizations will oversee the direction of Florida Elite Conference. Each original organization will have no more than one (1) seat on the Board of Trustees. The Board of Trustees will entrust in the Board of Directors to execute the vision of the Board of Trustees, at any time the Board of Trustees has the right to call a meeting with the Board of Directors to discuss directional plans, expansion, stability and any additional related topics the Board of Trustees feel deemed to address. The Board of Trustees reserves the right to remove any member(s) of the Board of Directors with proper cause; this must be a majority vote.

Section 5.5 – All newly elected Board members shall commence their term beginning January 1 following their normal election and shall be participating members of the Board thereafter. Retiring Directors shall continue to serve until December 31 of the last year of their term.

Section 5.6 – Any officer or member elected or appointed by the Board of Trustees may be removed by a three fourths (3/4) vote of the Board of Directors whenever in its judgment the best interest of the corporation shall be served thereby.

Section 5.7 – A vacancy in any office because of death, resignation, disqualification or otherwise may be filled by a majority vote of the Board of Trustees for the unexpired portion of the term. (See Morality Clause)

Section 5.8 – The President shall appoint all committees, subject to confirmation by the Board of Directors which shall authorize and define the powers and duties of all standing and special committees, except those whose functions are set forth in these Bylaws. It shall be the function of the Coordinator of each committee, within the limits of policy set by the Board of Directors, to make investigations, conduct studies and hearings, make recommendations to the Board concerning their assignments, and to carry on such activities as may be delegated to them by the Directors.

Section 5.9 – The Board of Directors may appoint persons to act singly or as a committee to provide expert advice to Florida Elite Football Conference or to assist it in other ways. Groups of advisors may include an Advisory Board, Youth Advisory Board, Honorary Board, and/or other advisory groups. The size, duration, and responsibilities of such boards and committees shall be established by a majority vote of the Board of Trustees. No advisor shall receive compensation for services rendered, except for payment of reasonable expenses in accordance with policies established by the Board of Directors, unless such compensation is authorized by a majority of the Board members then in office.

Section 5.10 – No committee or Director shall take, or make public, any formal action, or make public any resolution, or in any way commit the Organization on any question or policy without first receiving the approval of the Board of Directors. The President shall discharge special committees when their work has been completed and their reports accepted, or when, in the opinion of the Board it is deemed wise to discontinue the committee. The President may appoint, as advisory members of committees, persons essential to the activity because of the nature of their work, interest or position. Other than as provided for in this section, committee members shall be members in good standing of the Organization.

ARTICLE VI – DUTIES OF OFFICERS AND DIRECTORS

Section 6.1 - The President of the organization is largely responsible for organizing and directing the efforts of the organization. The responsibilities of this person are (but not limited to):

- President shall preside at all meetings of the Executive Board and shall, in general, supervise and control all business and affairs of the conference
- Presides and sets agendas for all meeting of the organization
- Schedules meetings and other activities for the organization
- Obtains appropriate facilities for organization activities
- Is present at most (if not all) organization events
- Maintains frequent contact with organization advisors
- Coordinates organization elections
- Represents organization at official functions
- Serves as a role model and representative to the group and how membership should behave and be involved in the group

Section 6.2 - The Vice President's role is "right hand person" to the President. The responsibilities of this person are (but not limited to):

- Assume duties of the President (in the absence of the President)
- Serve as "ex-officio" member of standing committees or committees may report to the Vice President
- Coordinates organizations recruitment efforts
- Represent organizations at official functions
- Serves as a community liaison
- Serves as a role model and representative to the group and how membership should behave and be involved in the group

Section 6.3 - The secretary responsibilities are (but not limited to):

- Keep a record of all members, meetings, and activities of the organization
- Serve as a historian of the organization
- Notifies members of all meetings
- Prepares organization calendar of events
- Collects and files away all organization mail
- Coordinates organizations elections
- Creates and distributes agendas for all meetings
- Distributes all meeting notes to all league presidents (within 72 hours)
- Represents organizations at official functions
- Serves as a role model and representative to the group and how membership should behave and be involved in the group

Section 6.4 - The treasurer has perhaps some of the most challenging responsibilities and often takes a keen eye for detail. The responsibilities of this person are (but not limited to):

- Keeps all financial records of the organization
- Arranges for payment of all bills and invoices
- Collects organization dues
- Prepares and submits financial reports to officers and members
- Advises members on financial policies
- Represents organization at official functions
- Serves as a role model and representative to the group and how membership should behave and be involved in the group

Section 6.5 - The athletic director major focus is assuring the organization's athletic programs maintain the overall vision of the organization. The responsibilities of this person are (but not limited to):

- To supervise coaches, cheer coaches and their assistants to assure compliance to organizations guidelines
- To organize the athletic programs in accordance with the philosophy of the organization
- To build a working relationship with ALL coaches to insure the integrity of the organizations sport programs
- To report all ejections to the Executive Board and provide a recommendation for disciplinary actions based on their investigations
- To keep open lines of communication about the direction of the athletic program
- To organize the distribution of athletic awards (such as Super bowl MVP award)

Section 6.6 - The Public Relations role is to develop and maintain community involvement with the organization. The responsibilities of this person are (but not limited to):

- To develop, plan, organize, and implement all fundraising activities
- To maintain all fundraising materials
- To develop innovative ideals, concepts and methods to create a fundraising opportunities for the organization
- Coordinates any fund raising for the organization
- To assure coverage for all fundraising activities and community events
- To be the liaison between the organization and the executive board members
- To develop a "Booster Club" within Florida Elite

ARTICLE VII – PARLIAMENTARY PROCEDURES

Section 7.1 – The proceedings of the organization shall be governed by and conducted according to the latest rules of Robert's Rules of Order as revised, except as otherwise provided in these Bylaws.

ARTICLE VIII – AMENDMENTS

Section 8.1 – The power to adopt, alter, amend or repeal the Bylaws or adopt new Bylaws is vested in the Board of Trustees. These Bylaws may be amended by a majority vote of the members at any scheduled meeting, provided that the active members are given reasonable notice of the proposed amendment(s) prior to the meeting at which the amendment(s) shall be read and acted upon.

ARTICLE IX – INDEMNIFICATION

Section 9.1 – The Organization shall indemnify any and all current and former Officers and Directors of the Organization and Program Entities, or any person who may have served at its request as an Officer or Director, against expensed actually and necessarily incurred by them in connection with the defense of any action, suit, or proceeding in which they are made parties by reason of being or having been Officers or Directors of the Organization or a Program Entity, except in relation to matters as to which any such Officer or Director or person shall be adjudged in such action, suit, or proceeding to be liable for negligence or misconduct in the performance of duty.

ARTICLE X – FEES

Section 10.1 - The Executive Officers will determine leagues fees annually and incorporate these fees into the league budget. The budget will be presented to the board of trustees of the corporation annually for their approval. The budget presentation shall occur during a meeting of the membership in the first quarter of the calendar year pertaining to the budget.

ARTICLE XI – DISSOLUTION

Section 11.1 – The Organization shall use its funds only to accomplish the objectives and purposes specified in these Bylaws, and upon dissolution no part of said funds shall inure or be distributed to the members of the Organization. On dissolution of the Organization, any funds remaining after payment of all liabilities shall be distributed to Not-for-Profit organizations regularly organized and qualified for charitable, educational, scientific or philanthropic purposes as selected by the Board of Trustees and as allowed by federal law or regulation.

ARTICLE XII: BACKGROUND SCREENING POLICY

Section 12.1 - The FEFC operates a tackle football program through several member programs. The FEFC wishes to protect the youth who are participating in the FEFC.

Section 12.2 - The policy set forth within this section shall apply to all volunteers who have direct contact with youth sports participants. Such volunteers must pass a Level 1 Background Check. The following are the criteria for the exclusion of adult volunteers including, but not limited to, managers, coaches or any other volunteer who has direct contact with youth sports participants. An adult means any person 18 years of age or older. Any adult volunteer shall be disqualified from participating as a volunteer of an FEFC member program if the person has been found guilty of any one of the crimes set forth below. “Guilty” means that a person was found guilty following a trial, entered a plea, entered a no contest plea accompanied by a finding of guilt regardless of whether there was an adjudicate of guilt or a withholding of guilt.

- A. All sex offenses regardless of the amount of time since the offense (examples include child molestation, rape, sexual assault, sexual battery, sodomy, prostitution, solicitation, indecent exposure or similar offenses).

- B. All felony offenses involving violence regardless of the amount of time since the offense (examples include murder, manslaughter, aggravated assault, kidnapping, robbery, aggravated burglary).
- C. Any other misdemeanor within the past five years that would be considered a potential danger to children or is directly to the functions of that volunteer (examples include contributing to the delinquency of a minor, providing alcohol to a minor, theft - if the volunteer is to handle money).

Section 12.3 - Any adult volunteer who has been charged with any of the disqualifying offenses above with cases pending court shall not be permitted to volunteer until the official adjudication of the case.

Section 12.4 - The FEFC requires all adult volunteers to be screened for the above exclusionary criteria once a year.

Section 12.5 - The criteria set forth above shall be applied by the background screening entity.

Section 12.6 - If the determination by the background screening entity is that the adult volunteer does not meet the criteria set forth herein, then the volunteer shall not be permitted to participate as a volunteer in any FEFC organization activity.

Section 12.7 - All FEFC members shall comply with these requirements and shall not permit any adult volunteer who has not satisfied the exclusionary criteria to participate in violation of this section. Upon receiving results of background screenings, each FEFC member shall notify the FEFC Executive Board of all volunteers who have been approved through the screening process.

ARTICLE XIII – GAME OFFICIALS

Section 13.1 - Game officials shall be accredited by the local / jurisdictional football officiating board.

Section 13.2 - The conference Football Director and/or Commissioner, with the approval of the FEFC Director President, will assign the officials for all gamed play within the boundaries of the FEFC. It shall be the responsibility of the Football Director to communicate with the conference Director. The Conference schedule shall be supplied to the Director, no later than the 2nd week in July.

- The home team shall be responsible for paying officials fees.
- The home team shall be responsible for notification of cancellation.
- The home team must notify the Conference President, or designee, twelve (12) hours prior to the start of the game of any kind of cancellation.

Any cancellation less than 2 hours prior to game time shall be considered a forfeit, and the canceling association shall be responsible for paying the officials fees. In the case of a dispute of this rule, the Executive Board will review each incident to determine which team is responsible for paying the officials. **A Forfeit fee will apply.**

ARTICLE XIV – LEAGUE AUTHORITY AND DISCIPLINE PROCEDURES

Section 14.1 - The Executive Board may inspect any/all fields prior to the first game, and may re-inspect any field any time during the season. If the field is determined to be unsafe, this may result in the loss of home games for a League Member until the condition is corrected.

Section 14.2 -To exercise disciplinary authority including fine, suspension or expulsion, so far as is lawful over all persons engaged in such games, competitions, and exhibitions, to the end that amateur games and contests may be subject to clean, dignified competition, any League Member, it's personnel, Representatives, coaches, players, parents, relatives or fans, found by the FEFC Board failing to comply with a lawful request from the FEFC Board, it's Officers, Commissioners, or Representatives.

Section 14.3 -Any League Member, it's personnel, Representatives, coaches, players, parents, relatives or fans, found by the FEFC Board, to knowingly give false information, or misrepresent by word or deed the FEFC, it's Board, Officers, Commissioners, Representatives, or League Members will be disciplined.

Section 14.4 - Any League Member, it's personnel, Representatives, coaches, players, parents, relatives or fans, found by the FEFC Board to violate any Bylaw, or who acts in any manner deemed by the FEFC Board to be grossly disrespectful to a team or another person, or who engages in a fight or other major un-sportsmanlike conduct, or conducts themselves in manner found disrespectful to a League Member Representative will be disciplined.

Section 14.5 -Any coach, player or fan ejected from a game by the game officials will automatically be suspended for the following game, and the ejection shall be treated as a Level III offense. This suspension may not be mitigated or postponed, and may not be waived under hardship. The suspension shall begin immediately upon ejection regardless of any pending or intended appeal.

Section 14.6 -The FEFC Board, following an Incident Hearing, may discipline any League Member; its personnel, Representatives, coaches, players, parents, relatives, or fans as defined in these Bylaws.

Section 14.7 -Only while acting in the capacity of an FEFC Executive Board Member, Conference Commissioner, or League Member Representative, may any of these FEFC officials be allowed within the fenced area of the playing field during a game in progress. With the exception of an FEFC Bylaw infraction, any attempt to interfere with or influence the on- field officials will result in an Unsportsmanlike conduct foul and/or timeout charged against the team that is the subject of this behavior. A complaint will be filed against the League Member by the Referee's Representative and the League Member will be subject to any discipline determined by the Board as defined in these Bylaws.

Section 14.8 – Suspensions

Players Suspension(s):

- A. The Conference Commissioner will be empowered to meet those players who will be suspended for not more than one (1) game for Unsportsmanlike conduct and advise them of the violation of the by-laws as well as the one game suspension. This meeting will take place at a site determined by the Conference Commissioner with the head coach present and, if possible, the player's parent(s) or guardian.

Coach Suspension(s):

- B. The FEFC Executive Board and the Conference Commissioners will meet with the coach in question and as long as the suspension is not more than one game this group can make the decision. All League reps will be e-mailed the results by the Secretary and any League Rep may appeal the decision of this group in accordance with the by-laws.

ARTICLE XV-COMPLAINT PROCEDURES

Section 15.1 - Complaint Defined

- A. An alleged Bylaw infraction, actual or possible.
- B. A complaint against a League Member's actions or personnel to include its Representatives, coaches, players, parents, relatives, or fans.
- C. An alleged confrontation on the playing area, or an adjacent area, between League Member's personnel, Representatives, coaches, players, parents, relatives, or fans.

Section 15.2 - Any incident reported to, or witnessed by, a League Member Representative, must be submitted via email by a League Member Representative to their Conference Commissioner with a copy going to the involved parties League Member Representative, by 9PM of the second day following the incident (from July 1st through November 30th) or by the next League meeting (from December 1st through June 30th), from the occurrence. In order to ensure that incident response can be handled in a controlled fashion, incident reports **MUST** be made by a League Representative using the prescribed procedures. No person other than a League Representative may report an incident directly to the Rules & Competition Committee (RCC).

Section 15.3 - Provided that the RCC Chairman has been informed of a Complaint Submission within the time limits, and has informed the accused League Member, the complaint filing shall be considered to be timely.

Section 15.4 - No complaint will be heard if filed outside of the time limits.

Section 15.5 - Any League Member who's Representative fails to report a known confrontation or Bylaw infraction, shall lose their home game privileges for not less than one (1) home game.

Section 15.6 - Once a complaint is received by the Conference Commissioner, he/she will forward a copy to the RCC Chairman and will notify all involved parties League Member Representative(s) of the complaint.

Section 15.7 - The accused parties League Member Representative will have 24 hours to respond by email to their Conference Commissioner regarding the complaint. Failure to respond will result in the complaint being determined valid. The Conference Commissioner will forward the response to the RCC Chairman and the filing parties League Member Representative. In the event that the responsible League Member Representative fails to notify the subject of the complaint within the required timeframe, the subject of the complaint will be given 24 hours from the time of their notification of the complaint to respond. If the League Representative fails to respond at all on behalf of the subject of the complaint, the subject of the complaint shall be given an opportunity to respond directly to the appropriate Conference Commissioner during that timeframe.

Section 15.8 - Once the accused party issues a written response thru their League Member Representative to their Conference Commissioner, the Rules Compliance Committee will attempt, either by writing or on the phone, to resolve the issue between the parties within 24 hours. If the involved parties cannot agree on a solution, or the Rules Compliance Committee determines the alleged incident may violate a Bylaw or be severe in nature, the RCC Chairman will contact the Secretary and both parties to inform them that an Investigation of the Complaint will be conducted and that a recommendation for further action will be presented to the FEFC Board at the next scheduled meeting.

ARTICLE XVI- INVESTIGATION OF COMPLAINT

Section 16.1 - The Rules Compliance Committee will conduct an investigation of the complaint by reviewing all information from eyewitnesses, documentation and videotape if applicable.

Section 16.2 -The Rules Compliance Committee will act in an unbiased manner. Any member of the Rules Compliance Committee who is also a party to the complaint will recuse themselves from the investigation and findings.

Section 16.3 - The Rules Compliance Committee will make their best faith effort to complete their investigation prior to the next scheduled FEFC Board meeting. If the Committee cannot complete their investigation by the next scheduled meeting, the Committee shall present the reasons for the delay to the board. The board will then vote either to grant the Committee specific additional time to complete their investigation, or to immediately move the Complaint to an Incident Hearing.

Section 16.4 - At the conclusion of the investigation, the Rules Compliance Committee Chairman will present the results of the investigation to the FEFC Board with a recommendation to prefer charges, or with a recommendation to dismiss the complaint as without merit.

Section 16.5 - The Committee's recommendation shall include an explanation of the basis for the Committee's decision.

Section 16.6 - The Rules Compliance Committee will present to the FEFC Board all of its findings and recommendations regarding the complaint.

Section 16.7 - If it appears that the complaint relates to an internal League Member dispute, the FEFC Board may defer action until such time as the accused party has fulfilled all of its League Members remedies.

Section 16.8 - The FEFC Board will determine whether to have a special meeting to handle the Incident Hearing or do so at its next regular meeting.

ARTICLE XVII- INCIDENT HEARING

Section 17.1 - The involved parties may request additional personnel to be present at the hearing. The Rules Compliance Committee will determine what personnel, if any, will be allowed attend the hearing.

Section 17.2 - The Rules Compliance Committee will recommend a time limit for every Incident Hearing, taking into account the severity of the alleged violation. The FEFC Board will then approve a time limit, BEFORE the complaint is heard. There will be a minimum speaking time limit of 15 minutes for each League Member involved in the complaint.

Section 17.3 - All hearings will be informal and the rules of evidence will not apply.

Section 17.4 - The FEFC Board will hear all involved parties representation of the FACTS regarding the complaint within the time limits set. The RCC Chairman will monitor the time for each party. Only the item(s) in dispute will be discussed.

Section 17.5 - The FEFC Board may decide to defer a decision on the complaint until the next League meeting, so as to allow further investigation by the Rules Compliance Committee.

Section 17.6 - Upon the conclusion of the hearing, the RCC Chairman will call for a yes or no vote of guilt on each alleged bylaw infraction individually. A majority vote of eligible members present is required to find a party guilty of a bylaw infraction.

Section 17.7 - The assessment of penalties shall not occur until a determination of guilt or innocence has been made on each alleged infraction. Any discussion of the mitigation of penalties shall be held during the discussion of penalties.

Section 17.8 - Singularly, jointly or in the alternative, the FEFC Board may consider all aggravating and mitigating factors in making its decision, and in assessing penalties.

Section 17.9 - Complaints determined to be valid by the FEFC Board will result in disciplinary action as defined under "Article V: Penalties". The FEFC Board shall record all of its findings and determinations in the meeting minutes.

Section 17.10 - All FEFC Board decisions shall be binding.

ARTICLE XVIII- PENALTIES

Section 18.1 - For a violation of any Bylaw herein set forth, or in addition to any penalty herein set forth, or for any conduct deemed undesirable, or for any complaint found to be valid, the FEFC Board may impose any or all of the following penalties to the accused party, parties or League Member:

- A. Suspend the party. **Suspension** is defined as a period of time, determined by the FEFC Board, during which the party may **not** participate in FEFC activities and functions
 - I. Coach Suspension: A coach who is suspended may not have ANY contact with his team, on or off the field, during the period of suspension. This includes participating in or attending practices, meetings or any other team function. He also may not attend any of his team's games, on the sidelines, in the stands, or in view of the playing field, during the period of his suspension. Violation of the conditions of suspension WILL result in an additional two weeks of suspension. A second violation will result in expulsion.
 - II. Player Suspension: A player who is suspended shall be permitted to practice with his team during the period of suspension, but shall not be permitted to dress for or play in any games occurring during the period of suspension.

- B. Expel the party or League Member from the League. **Expulsion** is defined as a loss of League membership, participation and involvement. The expelled party may apply for re- instatement after a period of time determined by the FEFC Board, but in no case less than one year from the original date of expulsion. The Board must have a 75% majority of voting members to impose an expulsion. No expelled coach, player or parent may attend any FEFC function during the period of their expulsion. Refusal to adhere to this rule will result in the automatic loss of the right to apply for reinstatement.
- C. Cause the loss of honors or awards.
- D. Cause the loss of home game privileges for a League Member.
- E. Cause the loss of post-season play for a League Member.
- F. Cause the loss of voting privileges for a League Member.
- G. Impose a fine on a League Member.

Section 18.2 - The FEFC Board may decide in certain situations to place the party on probation rather than enforce any penalty defined in these Bylaws, or set forth by the Board. **Probation** is defined as a period of time, determined by the Board, during which the party **may** participate in FEFC activities and functions, but the behavior of said party will be monitored.

Section 18.3 - Probation Violation: If the FEFC Board determines that a party has violated probation, the Board will enforce the original penalty, plus any new penalty, if any.

Section 18.4 - The FEFC Board, with a 75% majority of voting members, may relieve any League Rep, Alternate League Rep or Field Rep of their League authority and responsibility, and require the Rep’s club to replace them, if it is determined during the course of an Investigation or Hearing that the Rep has demonstrated a continuing pattern of actions detrimental to the well-being of the FEFC.

Section 18.5 - Determination of Severity of Offense:

When the lodging of a complaint results in the determination that punitive action is required, the offense will be categorized as a Level I, II, III or IV offense, with commensurate results:

Level	Penalty
Level I Offense	<p>Level I offenses are generally categorized as being of an “administrative” nature, or include offenses not directly perpetrated by the member and not reasonably under his/her immediate control.</p> <p>Level I offenses shall be penalized as indicated in the appropriate bylaw. If a member accumulates (3) Level I offenses over the course of two consecutive seasons, the FEFC board will convene to determine whether a one game suspension is appropriate.</p>
Level II Offense	<p>Level II offenses are generally categorized as attempts to gain an unfair advantage over a competitor through cheating.</p> <p>Level II offenses shall be penalized by probation of the member for the duration of the season. Any additional violation of any level during the probationary period will result in suspension. If a member accumulates (2) Level II offenses over the course of two consecutive seasons, the member shall be immediately suspended for one game.</p>

Level III Offense	<p>Level III offenses are generally categorized as offenses involving the use of illegal/banned substances, or which create situations that could lead to violence (i.e. taunting, inciting to fight) or otherwise jeopardize the health or safety of players, coaches, officials or fans.</p> <p>Any offense which results in suspension shall automatically be considered to be a Level III violation for accumulation purposes.</p> <p>Level III offenses shall be penalized by suspension for the next official game played by the member's team. If a member accumulates (2) Level III offenses over the course of two consecutive seasons, the member shall be immediately expelled from the league.</p>
Level IV Offense	<p>Level IV offenses are generally categorized as those offenses which could potentially result in criminal prosecution of the offender, or which clearly indicate that the offender should not be entrusted with the well-being of youth athletes.</p> <p>Level IV offenses shall be penalized by expulsion from the league.</p>

The following table summarizes the maximum penalty Levels associated with current bylaw provisions. As referenced in Article IV.7, the FEFC board may consider aggravating or mitigating circumstances in penalty assessments, and based on that consideration, award a penalty less than that indicated in the matrix.

Section/Violation	Level
Willful misrepresentation before the FEFC board	III
Acting in any manner deemed by FEFC board to be grossly disrespectful to a team or another person	III
Any Physical Altercation (except players)	IV
Any Physical Altercation (players only)	III
Major Unsportsmanlike Conduct (Any violation resulting in ejection)	III
Disrespect to League Representative	III
Attempting to interfere with or influence on-field officials in capacity of League or Field Rep	III
Playing ineligible player for any reason other than FEFC clerical	III
Use of narcotics, steroids, alcohol, etc. (by player)	IV
Touching of any referee, league/field rep, coach, player or parent in an offensive manner	IV
Use of tobacco products within less than 500 feet of field (offender only)	I
Permitting use of narcotics, steroids or CDS (coaches and parents)	IV
Use of alcoholic beverages within 500 feet of field (offender only)	IV
Failure to supply chain crew	I
Chain crew communication with players on field or home bench	II
Chain crew use of cell phone	I

ARTICLE XIX -APPEALS HEARING

Section 19.1 - Any League Member, its personnel, Representatives, coaches, players, parents, relatives, or fans, aggrieved by the application of these Bylaws by the FEFC Board, may request an appeals hearing before the Board by email thru a League Member Representative to their Conference Commissioner with a copy going to the Vice President.

Section 19.2 -The Appeals Committee will evaluate the reason(s) for the appeal. The appeal request MUST show valid factual reasons, as to why the initial Incident Hearing was insufficient to achieve a valid result. Alleged procedural errors in the incident investigation or hearing are a valid basis for appeal. The committee will inform the FEFC Executive Board of their findings concerning the appeal within 48 hours of receipt of the appeal request from the Conference Commissioner. The Appeals Committee shall have the sole authority to grant or deny an appeal request.

Section 19.3 -If the FEFC Executive Board AND the Appeals committee feels that there are adequate grounds for an appeal, and there is enough evidence to support an appeals hearing, they may issue a temporary stay on any penalties issued by the FEFC Board, at their discretion, and grant the appeal hearing for the next League meeting.

Section 19.4 -Appeals Hearings shall be conducted under the same procedural rules as those for Incident Hearings, except that the Vice President shall chair the Appeals Hearing.

Section 19.5 -The FEFC Board will hear new information only regarding the original complaint and/or an explanation of any alleged procedural errors in the initial incident investigation or hearing within the time limits set. The Vice President will monitor the time for each party. The FEFC Board will decide which, if any, personnel to interview. Only the new item(s) will be discussed.

Section 19.6 -The FEFC Board may decide to defer a decision on the hearing until the next League meeting, so as to allow further investigation by the Appeals Committee.

Section 19.7 -Singularly, jointly or in the alternative, the FEFC Board may consider all aggravating and mitigating factors in making its decision.

Section 19.8 -All FEFC Board decisions on an appeal shall be final and binding.

ARTICLE XX – HARDSHIP

Section 20.1 - The FEFC Board, with a 75% decision, may waive any provision under these bylaws, if it appears that extreme or unintended hardship would result, unless said provision has been explicitly defined as “not waivable under hardship”.

ARTICLE XXI – REMEDIES

Section 21.1 - No League Member, it’s personnel, Representatives, coaches, players, parents, relatives or fans, may bring any action against the FEFC, unless they have exhausted all remedies as set forth herein provided however, that nothing herein shall be construed to apply to any personal injury or workers compensation action.

ADOPTION AND RATIFICATION

The foregoing Bylaws for the Florida Elite Football and Cheerleading, Inc., consisting of Articles 1 through 21, are hereby adopted and ratified as amended, and are made part of the permanent organization records of the Florida Elite Football and Cheerleading, Inc.

ADOPTED the _____ day of _____ 2017, by approval of two-thirds (2/3) of the presently constituted members of Board of Directors.

Signatures of the Trustees

President	Date
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Board Member	Date
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