

Pennsylvania Blue Thunder
By-Laws and Operating Procedures
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I. Purpose

Mission

The objective of the Pennsylvania Blue Thunder Basketball Club is to provide the means by which the youth membership of the club may grow and mature into productive adults. Through the medium of basketball, the club will offer a set of experiences both on and off the court aimed at supplying this opportunity. It is the obligation of the adult leadership and parents to facilitate the objective by educating and providing the appropriate environment.

Goal

The goal is to carry out the mission of the club, measured not only by success on the court, but also in the improvement of the youth membership as individuals. Playing basketball is only the medium which is used to accomplish the goal and not the focus or goal itself.

To promote this endeavor, periodic written assessments can be provided evaluating the strengths, weaknesses, and ongoing development of such player. Recommendations for training and development will be proposed along with a regimen to aid improvement. A maximum of three will be rendered in any one season.

Rendering of written assessments will be the prerogative of each coach to issue. It will not be mandatory for each and every coach of the franchise. It will also be the prerogative of the parent to accept or decline reception of the written report.

II. Governing Principles

The governing principals provide the premise by which the entire organization and all of activities are conducted. With these principals as the foundation for initial consideration of any action, the likelihood of inappropriate behavior will be diminished.

Intent

Intent constitutes the primary principal of the structure. The intent of all activities, operations, and actions is for the benefit of **all** of the youth of the organization. No activity of the club will be conducted for the benefit of any one player, coach, officer, or any other member. No one group will be the recipient of benefits from the operation of the club. The agenda of the entire club and all of its participants not the agenda of a few will be the agenda conducted.

Amendments

This document by virtue of its nature will constitute, in its entirety, the presiding guidelines by which the organization will operate. It may need to be amended to further clarify its provisions or to adapt to the changing environment or needs of the organization. The appropriate governing body will have the power to amend the by-laws and operating procedures.

Balance of Authority

The structure of the organization will be maintained to enable a division of authority. The purpose of the division will be to maintain independence within the organization. No one individual will be the sole determining party in any issue of gravity. Interdependence of authority will be maintained to achieve balance to insure that equity on all issues is maintained throughout the organization. Nondiscrimination of all processes is to be the benchmark of the franchise.

Structure & Process

Coaches

Coaches will be selected on the basis of knowledge of the game, devotion to the team and franchise, and ability to administer to the needs of the team without prejudice to any particular player, parent, or other influence that would detract from appropriate, impartial treatment. Selection of coaches when deemed appropriate will be subject to the acceptance of the governing body. There will be a minimum of one coach per team. No more than three will be permitted with the suggested number of two or three. When only one coach is participating, attempts will be made to procure additional assistance.

Tryouts

Tryouts will be conducted at the discretion of the coaches and the governing body. Suggested times will be mid to late fall and/or January. The number of players selected for each team will be the prerogative of the head coach and any assistants acknowledging minimum and maximum constraints and the effects on each participant. The non-refundable tryout fee for each participant will be \$15 per year. Every player must try out from one year to the next. No player will be exempted from tryouts.

A tryout conducted in the fall may be followed by an optional tryout early in the months of the next year prior to the start of the playing season. Although an optional second tryout may be held, no player may be released from a team resulting from a subsequent tryout if accepted as a team member in a fall tryout. A player who was not deemed chosen to a team during a fall tryout may be permitted to attend a subsequent optional tryout, if conducted.

During the season, should a team encounter a reduction in the numbers of players or experience a need or deficit in a particular player position, the coaches will be granted latitude to recruit additional players to fill what voids arise. Permanent addition of a player to a team roster will only be valid upon conduction and completion of a successful tryout. The tryout fee is due and payable regardless of the timing of the tryout.

Playing Time

Playing time will be determined at the discretion of the head coach and his assistants. The determinants of allocation of the playing time will be age, commitment, attendance at practice, and tangible factors relating to ability, competition, and the success of the team. The determinants of team success are not solely related to wins. The balance of all factors will be

considered with younger teams tending to a more even distribution of playing time at tournaments.

AAU rules dictate that players competing in the age groups between the ages of 10-13 receive equal playing time.

Season (Defined)

The season will be defined as beginning-from the conclusion of tryouts and the determination of the participants included on each team to the end of the season, which will be marked by the final tournament of each team's participation for the calendar year. Generally, January of each year to the end of July of each year represent appropriate benchmarks. The season will be absolutely deemed concluded with the start of the school year.

Off Season Activities

The teams of the franchise may engage in off-season activities such as practice or play in instructional, practice, or developmental leagues. Even though a formal tryout has not been conducted to determine the final components or participants of each team, it is critical to the development of the players and the franchise that continuing exposure to practice and competition continue. Inclusion of current members of the franchise must be the first priority of coaches in these instances. Prospective participants to the franchise may be permitted after exhaustion of participation of the current membership. Since the coaches spend considerable time during the season with the teams, some latitude must be granted to off-season activities.

If the participants in off-season activities fund their own activities, the franchise will have no discretion in the determination of the makeup of the team.

The inclusion of an individual in an off-season activity (league or practice) does not convey any right to team membership for the following season. That determination may only be conceded by successful participation in a franchise sanctioned tryout.

Selection

Selection of players for each team will be accomplished upon evaluation of the tryout sessions. Final selection of team participants must be the prerogative of the head coach and any assistants. A procedure consisting of multiple evaluators responsible in determining the selected participants is suggested to help to limit actual or perceived bias of the process.

Commitment

An additional cornerstone in equitable operation of the franchise at all levels is the insistence of the appropriate level of commitment from players, coaches, parents, and administrators. Definition of appropriate determinants of commitment in each phase of the operation will be defined in those sections with appropriate sanctions for violation. The commitment of each constituent should be predicated on the premise that consideration for the other constituents is

their primary concern. Recognition of that commitment and the underlying duty to the others on their team or ones in the organization will be validated by signature of the commitment document.

Not only is recognition of commitment to the others on your team entirely acceptable but requisite to considerations of equity and longevity of the club.

Compliance

Pennsylvania Blue Thunder is registered and chartered AAU franchise. With that premise, it will conduct its affairs within the guidelines of the AAU. Each and every member, whether it is player, parent, coach, or administrator will conduct their activities within the guidelines of the by-laws of the franchise. Penalties for noncompliance will be imposed according to the sanctions section of this document.

Sanctions (Suspension, Termination, and Expulsion)

Penalties for inappropriate behavior will be dealt with on an individual basis. The consequences will be imposed only after due process by the general governing body. Pleas for punitive action may only be introduced through the executive body with subsequent sanction determined by that body. Suspensions may be imposed by tournament or monthly periods. A third occurrence after two prior suspensions will constitute grounds for expulsion. Termination may occur in an instance, such as, a coach may be relieved of his coaching duties without being expelled from the franchise. In some instances where an egregious action has been committed, immediate expulsion without suspension is permitted.

Dissolution

PA Blue Thunder is a not for profit organization qualified under code section 501c-3 of the IRS regulations and is not subject to income tax. Should the franchise be dissolved, the remaining funds will be forwarded to the charity of the choice of the executive committee residing at that particular time to avoid any tax consequence or legal ramification to any individual. PA Blue Thunder is a member of the AAU and enjoys the right to utilize the organization's tax-exempt status as an affiliate under its group exemption number 1155. PA Blue Thunder nonprofit federal tax ID # 46-2092805 should be used in any situation requiring federal identification.

III. Structure

Officers

Standard officer designations will be upheld to for the base structure: Director, Assistant Director, Secretary, and Treasurer. The standard duty assignments will also hold for each office. The Director will be the chief executive and responsible for conducting the business of the organization. He will be assisted as the Assistant Director in his capacity. The Secretary will be responsible for documentation of the organization for meetings and other necessary functions.

The treasurer will be responsible for the assets of the club including their receipt and disbursement.

An additional office of commissioner will be supported to help to balance the authority of the structure and to preside over matters in dispute.

Executive Committee

The executive committee will form the base power structure of the organization. It will consist of the four officers, team coaches, commissioner, and one elected parent representative from each team. This body will preside over matters of material dispute and will also be the body charged with the responsibility of amending the by-laws when appropriate. In no instance will any matter be decided by vote unless a minimum of nine members is present to participate in a vote.

This body will be responsible for decision-making involving punitive actions imposed upon any member of the organization. The commissioner will not vote in matters unless there is an even number of voters on an issue. Committee members may abstain from voting on an issue unless the minimum of nine votes on a material issue is not met. A simple majority vote will decide the issue.

Attempts should be mounted to enlist the participation of individuals who do not have offspring participating in the franchise.

Membership Chair

The membership chairperson will be responsible for the registration of all the players with the AAU. This is a critical function as no player is eligible to participate unless registered with the AAU.

General Committees

General committees may be formed to carry out tasks related to conducting the business of the franchise. They should include parent members of the organization and also at least one participant who is a member of the executive committee should it be deemed necessary. If no executive committee member is deemed necessary, a chairman will be appointed or recognized as the director or supervisor of such committee.

Election Process

Election processes will follow standard parliamentary procedure for any and all of the offices. Entire membership meetings will be held to accept nominations for offices. Public show of hands or written ballot procedures can determine vote recording.

Term of Office

Each officer will occupy his office for a period of a maximum of two years. This term restriction does not preclude the subsequent re-election of that person to the same or another office for a consecutive term.

Termination & Sanction Procedures

Elected officers or officials are subject to the same sanctions as any member of the organization and will be excused from any participation in any procedure. This includes but is not limited to voting, discussion, deliberations, or fact-finding. The accused will be able to present any information germane to defending his conduct.

IV. Finances

Ownership

All funds collected and retained in the possession of PA Blue Thunder Basketball Club regardless of the method of accounting or segregation of account will be the property of the club. Under no circumstance will any rights to these funds be conveyed to any one individual or group of individuals for any use but the benefit of the youth of the club in the course of appropriate club activities. Any and all uses of funds will be subject to the review and approval of the executive committee. The committee retains full authorization to direct inappropriate utilization of funds to the proper legal authority.

Dues

Each participant (player) will be obligated to contribute \$150 for per season as dues utilized to defray the costs of their team. The dues payment requirement will be effective for the first month that a player is eligible for the regular summer season. Dues will be payable no later than the end of April. If a player completes a contingent tryout after the start of the season, dues will be payable on a prorated basis with payment expected immediately. Dues will not be charged for off-season months.

In extreme instances, this monthly obligation may be waived by the franchise in order for financially challenged individuals to participate. Decisions to waive the monthly dues requirement will be determined by the executive committee only subsequent to concrete evidence having been presented supporting the waiver and an appropriate vote conducted.

Accounts

Individual accounts will be maintained for each team detailing the receipts and disbursements attributable to each team. It will be the responsibility of the treasurer to maintain these records and provide periodic reports as necessary for communication and control purposes. Intermittent audits may be conducted on the accounts to validate or authenticate the assets held by each team.

In the event that a team or its coach fails to maintain their AAU certification for a period of one year, the executive board will have the authority to reclaim any and all monies in that account. The recovered funds will be directed for use by the board in a manner consistent with the mission and goals of the club. The board retains this sole discretion and can replace all or a portion of the reclaimed funds at such time as the team or coach reinstates their certification with the AAU.

A general account will be maintained for the disbursement of monies used to acquire items or services utilized by the entire organization and its teams. This fund will be fed by appropriations from each team fund on an equally proportionate basis. Appropriations will be made on an as needed basis and this account will maintain a modest balance.

Expenditures

Periodic disbursements will be permitted for each team for necessary items. Such items may include but are not limited to: basketballs, teaching & practice aids, coaching materials, tournament entry fees, medical supplies, uniforms, and gym time. Appropriately documented, recurring expenditures of a routine nature may be dispensed or reimbursed with only treasurer's approval. When deemed necessary the treasurer will solicit two officers or executive committee members for items in question. No expenditure providing a direct benefit to a coach, an officer, a committee member, or their player-child may be approved by that individual. Unusual, substantial, or nonrecurring expenditures will require approval of the executive committee.

When the validity of any expenditure is in doubt, the treasurer should solicit the approval of two independent committee members or present it to the entire committee. Expenditures of \$2,000 or greater will require pre-approval. If expenditures exhibit any appearance of impropriety, pre-approval should be sought prior to disbursement. An individual spending his own resources seeking reimbursement may personally absorb the cost if final approval is not granted.

Expenditures will be deemed chargeable to each team fund unless there is historical practice shown that the general account should absorb the cost. Remittances other than historically recurring items identified as general fund expenditures will only be recognized as such by executive committee approval.

Fund Raising

Periodic fund raising initiatives will be conducted to solicit monies to be used in the operations for the benefit of the teams of the club. Each and every participant will be required to participate in fund raising functions or be subject to sanction by the club. Sole authorization of fund raising activities will reside with the executive committee. Fund raising activities will also comply with the guidelines established by the AAU.

Lodging & Meals

Lodging and meal costs incurred while away from home at tournaments will be the responsibility of each family. The only exceptions to this policy will entail one of the following qualifications.

If an individual has devoted his time to coaching a team and does not have a child participating on that team, the franchise will cover the cost of the room at its charged amount capped at \$200 per night. The cost of meals will be allowed at a per diem rate of \$35 per day. This practice should have no substantive or disputable basis as the status of coaches will be known at the start of each season.

The only other exception permissible would entail each team picking up the cost of group meals when nearing the end of the season providing sufficient funds are available to support such a practice and all participants and families are equitably eligible to participate in the benefit. Each group would charge its team account for the cost of its meals. In no instance would the general fund absorb the cost of any of these meals.

V. General Operations

Regular Meetings

Regular meetings will be held intermittently as necessary during the season unless substantial scheduling conflicts materialize. These meetings will be for the executive committee but any member of the organization may attend but may not register a vote on any issue. Limited or extremely restricted participation will be permitted providing the participation offers productive results to the meeting.

Dissent, while vital to present opposing views to any issue, must be bridled appropriately. Continuous, unsupported dissent by any one individual will be recorded in meeting documentation and appropriately abandoned. Repeated behavior of a nonproductive or detrimental nature may result in expulsion from a meeting. This premise will hold valid for committee members or guests.

Meetings will be governed employing Roberts standard rules of order. Reading of prior meeting minutes, discussion, motions, seconds to motions, discussions of proposed motions, and voting measures will follow these rules.

Conflict Resolution

Resolution on items of disagreement will be the responsibility of the executive director. Appeals of any decision by the executive director will be heard and acted upon by the executive committee. All decisions of the executive committee will be final. Appeals of decisions of the executive director may be made in writing to the executive committee.

PA Blue Thunder Tournament(s)

A reasonable likelihood will exist each year that the franchise will conduct a tournament each year and leave a possibility that multiple tournaments may be entertained. The decision and resultant responsibility regarding the conducting of a tournament will lie solely with the executive committee. The purpose of the tournament will primarily be to raise money to fund the cost of subsequent tournament play for the rest of the current season.

Date, time, and venue choice responsibility will also be the burden of this committee. The executive committee will appropriately select and delegate to other committees functional responsibility of ticket sales, concessions, and other operations.

Other Tournaments

It will be to the discretion of the head coaches and their assistants the prerogative of choosing the number of tournaments to attend and which specific ones to attend. The club trusts that the coaches will be sensitive to the entire realm of issues when choosing the tournaments in which to attend. The quality of the team's play should be appropriately matched to the quality of the tournaments it attends. Long-run goals of player improvement along with their exposure to recruiting prospects must be factors in tournament selection. These goals may differ considerably based on the age and play levels of each team.

The franchise must be cognizant of our reciprocal obligation to participate in the tournaments of those franchises that participated in our tournament. If we expect continued involvement by others in our tournament, we must provide teams from our franchise to their tournaments.

Unscheduled Meetings

Meetings may be called and held outside of the regularly scheduled meetings. There must be agreement of more than two executive committee members to hold a meeting. It will be the responsibility of the secretary to maintain and communicate the meeting schedule.

Registration & Membership

All appropriate registration will be maintained with the AAU and any governing body affecting the operation of the club. It will be the responsibility of the secretary and treasurer to maintain appropriate registration processes until duly approved delegation occurs.

Each player and coach will be required to be a registered member of the AAU. Any and all fees payable to the AAU for membership will be the responsibility of the individual involved. Membership is required regardless of the timing of the individual's acceptance of the PA Blue Thunder franchise.

Promoting the Club

Executive committee responsibility will also include obligation to promote the club. The purpose of promotion will be to insure the vitality and longevity of the club. Perpetuation of the club revolves around continuous yearly development or acquisition of younger teams in the twelve to thirteen year old age categories. Vitality maintenance involves continual recruitment of the consistently competitive caliber player.

Flyers, posters, billboards, newspaper advertising and other physical mediums must be appropriately employed to achieve this end.

VI. Basketball Operations

Philosophy

A consistent philosophy of communication of strategy throughout PA Blue Thunder Basketball Club will provide opportunity to develop consistent play patterns of our players. It will also enable our players to compete on another age group's team if necessary. Faster development of players and better strategy may develop by collaboration. Commonality of offensive and defensive strategies among coaches is not mandatory but familiarity of the different systems is recommended.

Coaches

It will be the express responsibility of all coaches in the organization to instruct and develop **all** team members appropriately. Coaches will provide an environment conducive to learning along with requisite tools (drills and practices) for player improvement as individuals as well as teams.

Practices

Scheduling of practices will be at the discretion of the coach or coaches of each team. Days of week, times, duration, and number of practices per week will be the decision of the coaches. Sensitivity to all of the player's needs and schedules along with the age group of the team needs to be weighted. The commitment agreement of each player will provide basis by which a player's attendance and agreement to commitment can be validated against their actual adherence to practice attendance. Equity throughout the entire team must be the primary focus. A \$25 up front posting of a practice bond and its subsequent forfeiture as a result of a spotty practice attendance pattern will insure equitable practice attendance.

Subsequent \$25 reinstatement penalties may accompany further attendance indiscretions. Imposition of financial sanctions will serve to either alter the behavior of the habitual offender or provide the path for self-exclusion.

Meetings

Franchise-wide coaches meetings will facilitate the fostering and development of multiple team strategy development, methods, and tactics. Free exchange of strategies can only help to foster enhanced opportunities for success. If common strategies are developed and communicated, it will enable freer exchange of participants between teams for tournament play.

VII. Other

Warranties

No member acting on behalf of the club should be exposed to personal bodily or financial risk while in performance of activities to benefit the club. All precautions must be employed to limit any and all possible exposure.

Insurance

PA Blue Thunder will utilize the National AAU organization to obtain insurance protection to suit the needs of the club. The club will maintain coverage in appropriate form and quantity to indemnify the principles of the club and the facilities it utilizes.

Additional insurance indemnifying the club, its board members, officers, and coaches will be in place. Commonly known as directors and officers along with employment practices liability insurance (aka EPLI), these insurances will be procured each year protecting the club and its constituents from financial exposures generating from the decisions and actions of its leadership and its competitors in the course of activities of the club.

Social Media, Communication, & Contact Procedure or Policy

Coaches shall follow the following procedures when in communication and contact with players. Any and all communications with players shall be conducted on a group basis. In no manner shall a coach or officer be communicating with a player on solely an individual basis.

Communicating with parents is generally advised in all instances for the protection of the coach or officer because the progressive disciplinary associated with individual communication shall involve suspensions and expulsion.

Communications subject to governance by this policy shall include, but are not limited to the following: social media, text messaging, emails, and telephone calls whether by cell phone or land line. Social media shall include but is not limited to: Facebook, Twitter, Instagram, etc.

Mention of the methods of communication will alert coaches and officers to the types of vehicles for contact and the prohibition for individual communication. Do not be dissuaded that the lack of enumeration of a particular type of individual communication is acceptable.

Direct Contact with Players

During practices and tournaments, coaches and officers shall limit contact with individual players to involve team meetings, in the presence of parents, or in a public setting. Every effort should be made to have an assistant coach, parents, or another adult present for practices.

Disciplinary Policy Regarding Communication & Contact Policies

Invariably, instances can occur that a player will attempt to contact a coach or officer involving some sort of media. Or a player by happenstance will come in direct proximity to a coach or officer in a non-public setting. A media response should be directed to the parent(s) of the player

in all instances to keep them in the communications loop and replying directly to a player is prohibited. In the case of direct contact, a coach should insure that direct contact with a player occurs or is moved to a public setting.

Disciplinary actions involving a coach or officer will be the responsibility of the executive committee comprised of the following individuals: director, assistant director, treasurer, secretary, legal counsel, and Fred Kreashko as adviser. Any alleged misconduct involving an executive committee member shall exclude them from the process.

Disciplinary actions will be on a progressive basis unless the alleged behavior is egregious in nature and/or directly witnessed, documented, or sufficient probable cause exists. If a police report has been filed and law enforcement is involved, immediate suspension will result until the matter is resolved.

Executive committee members will keep all such matters confidential and determine sound disciplinary measures if policies are violated and not of an egregious nature. A two or three step process of discipline shall occur prior to the expulsion of a member.

The general board will be involved in the process only if the executive committee deems it necessary.

Meeting Attendance Policy

In order to suitably conduct club affairs, it will be the responsibility of each team to have their head coach regularly attend meetings, tryouts, events, etc. It is preferable to have both head and assistant coaches in attendance.

At a minimum, the head, assistant, or a parent designate will be in attendance at club obligations. Social events such as picnics do not qualify as obligatory activities. Coaches of other club teams or officers are not deemed as appropriate substitutes.

Upon the second consecutive absence of qualified attendees for a team at required obligations, a team will be penalized the alternative of a \$150 fine or a one month suspension of the team from play. The particular penalty will be at the choosing of the team.

Upon a third absence (without regard to successiveness), the coaches will be suspended for the remainder of the season and may return for the following one. Expulsion can/will be considered subsequent to the third absence if deemed a result of total disregard.

The executive committee consisting of the officers, legal counsel, and Fred Kreashko as adviser along with two ad hoc general board members will consider and deliberate relating to extenuating circumstances in regard to imposition of sanctions and their degree of severity.

No individual can be permitted to participate in the determination of sanctions that is directly involved in the outcome of such sanctions and shall be excused from participation.

