

By-Laws of the Downingtown West Cheerleading Association (DWCA)

(Adopted: February 2012, Revised: August 2014, March 2016)

ARTICLE 1 – NAME and MISSION STATEMENT

The name of this organization shall be: Downingtown West Cheerleading Association (DWCA)

By definition, DWCA serves the cheerleaders of Downingtown West High School; a public school within the Downingtown Area School District, Downingtown, Pennsylvania.

Mission Statement: The Downingtown West Cheerleading Association is a non-profit parent group providing support to the Downingtown West High School Cheerleaders and their coaches by:

- a. Assisting in the organization of community service projects
- b. Fundraising
- c. Promoting the welfare of the DWHS Cheerleading Program
- d. Promoting the spirit and fellowship among fellow cheerleading teams
- e. Presenting, encouraging, and sponsoring activities which will enhance the reputation of the DWHS Cheerleading Program
- f. Attracting and stimulating the interest of cheerleading in the community and participating in projects for the advancement of the program
- g. Promoting self-respect, respect for others, personal responsibility, and citizenship among all cheerleaders and their community

ARTICLE 2 – SPECIFIC PURPOSES

Section 1: The purposes of DWCA shall be;

1. To promote cheerleading in an atmosphere that is consistent with the educational philosophy of the DASD school community
2. To assist the school with the financial support of the cheerleading program through various programs and activities that either generate revenues for, or reduce expenses of the cheerleading program
3. To provide an opportunity for the community to support student involvement in cheerleading,
4. To provide additional opportunities for communication between coaches, parents, student athletes, and community members
5. To assist the cheerleading coaching staff in all activities as needed

Section 2: The purposes of this Association may be promoted through the use of conferences, committees, projects, programs, and fundraisers. DWCA shall exist as a non-profit organization in order to carry out its stated purposes.

ARTICLE 3 – MEMBERSHIP

Section 1: All coaches, parents and guardians of the cheerleaders are automatic members and all other persons interested in supporting the Downingtown West High School Cheerleaders may be members of DWCA.

Section 2: All active members in good standing shall be eligible to vote at regular and special meetings. Active membership is established by attending at least 50% of the regularly scheduled meetings and/or volunteer events held in the then-current school year.

Section 3: No member or officer of DWCA may receive any remuneration of profit as a result of voluntary services or participation in the activities of DWCA.

Section 4: All members, active or inactive, shall be responsible for the timely payment of all expenses due to DWCA. Members shall also be responsible for any bank charges incurred by DWCA due to insufficient funds for payments made by that member, as well as any late fees due incurred as a result of late payment of obligations due to DWCA. These late fees are to be established and communicated to all members at the first regular parent meeting.

- a) Members with delinquent account balances (including any late fees which may have been assessed) shall not be eligible to run for an elected position nor vote at regular or special meetings until payment is made and the account becomes current.
- b) Any outstanding financial obligations to DWCA which remain at the end of the season (including any late fees which may have been assessed), must be paid in full before attendance at the annual end-of-season cheerleading banquet, and/or before tryout for the following year's squad or will be reported to the School's Obligation List. The school may not allow: the purchase of a Junior or Senior parking permit, purchase of Prom or homecoming dance tickets, or participation in the Graduation ceremony when a financial obligation is outstanding.

Section 5: Members of DWCA are expected to serve as members of DWCA committees and participate in regular membership meetings.

ARTICLE 4 – ELECTION OF OFFICERS

Section 1: The elected Executive Officers of DWCA shall be a President, one Vice President for each squad, Secretary, Treasurer, Fundraising Chair, Competition Chair, and Community Spirit/Service Chair.

- 1. To be eligible to run for a board position a member must be an active member in good standing and have fulfilled all financial obligations to be eligible to run for a board position
- 2. Previous Board Members must have fulfilled all previous job responsibilities as outlined in the bylaws to be eligible to run for a Board position in the future.

3. No officer shall be eligible for the same office for more than two (2) years, unless the position cannot be filled by the nomination of another candidate.
 - a. Candidates for the office of President must be a senior parent and have completed at least one year on the Board. If there are no senior parents interested in running for President, it will be opened up to parents of Varsity cheerleaders in any grade as long as they meet the minimum experience requirement.
 - b. In the event of election of Co-Presidents, when possible, one officer shall be the parent of a senior cheerleader and the other shall be the parent of a non-Senior cheerleader for the purpose of continuity and adequate preparation for the duties of the position.

Section 2: Nominations for DWCA Officers listed in Article 4, Section 1, shall be made by any member of DWCA by submitting their selection to the Secretary. The consent of each candidate for office must be obtained before the name is placed in nomination. Nominations from the floor may be made at a time of the election.

Section 3: Election of DWCA Officers shall be by majority vote of the membership present at the first regular meeting. Election shall be by ballot, unless there is only one candidate for the office. Then the ballot may be dispensed with and the election for such office conducted by voice vote. When the election is by ballot, the President shall appoint an election committee to take accurate count of the vote. There will be only one ballot per cheerleader.

Section 4: All DWCA Officers shall be elected at the first regular meeting after cheerleader selection for the following year and shall take office immediately with a meeting of the executive board.

Section 5: Any DWCA Officer may resign at any time by giving written notice to the President or the Executive Board. Such resignation shall take effect without formal acceptance on the day specified therein.

Section 6: A mid-season vacancy in any DWCA office shall be filled by appointment of the President. The DWCA Executive Board shall ratify such appointment.

Section 7: Upon the expiration of their terms of office or in the case of resignation, officers and committee chairs shall turn over to their successor (or to the President if a successor has not yet been named) within 7 business days, all records, funds, and other material pertaining to the office. Normal expiration of the term of office shall be upon the annual election of the new board.

ARTICLE 5 – DUTIES OF OFFICERS

Section 1: In addition to performing duties usually pertaining to the office, the President shall perform the following: preside over all DWCA meetings; be an official member of all DWCA committees; authorize emergency expenditures and business after contacting all members of the Executive Board and receiving approval from the majority; and be the primary contact for all DWCA members regarding their concerns with DWCA policy and conduct of other members.

Section 2: Vice-Presidents (Varsity representative, Junior Varsity representative, or any other squad type established by the coaches for the season) will assist the coaches as requested, shall preside over meetings in absence of the President; shall assist in all matters as requested by the President and the Executive Board; will assist the coaches in coordination of cheer clothing orders and distribution, uniform distribution, and will assist the Treasurer with collection of all financial payments from individual cheerleaders, uniform returns, etc. making sure to provide receipts for any payments received, and turn all DWCA funds over to the Treasurer for deposit in a timely manner.

Section 3: The Secretary shall prepare and maintain the Cheer Directory, keep an accurate record of the proceedings of all meetings of the organization and of the Executive Board, be prepared to refer to minutes of previous meetings, prepare a summary of all unfinished business for the use of the President, handle all correspondence as necessary and shall notify the Executive Board of meetings and notify the Parent membership of the general meetings, coordinate booking of conference rooms for meetings, send weekly update communication to all team members and parents, keep book with Articles and By-Laws, minutes of board meetings and DWCA meetings, make sure that Executive Board Members receive minutes of Board Meetings and parents receive minutes of DWCA parent meetings.

Section 4: The Treasurer shall oversee all financial activities of DWCA; keep an accurate record of all receipts and expenditures of both the DWCA organization and individual cheerleader accounts; present a Treasurer's report (an itemized statement of all deposits and disbursements since last report) and cheerleader account balances at all Executive Board and regular meetings; give a written annual report and any other financial report as called for by the President and/or the head coach; present the books for review as requested by any Executive Board member. The DWCA Treasurer shall apply all individual fundraiser credits as communicated by the Fundraising or other Committee Chair to cheerleader accounts, refund any overpayments by the end of the season, and follow all guidelines for obtaining appropriate approval for non-budgeted expenses as detailed in Article 10, Section 2. The DWCA Treasurer shall maintain the DWCA Tax Exemption Number and Form, the DWCA Tax ID information, and the organization's Non-profit status. The DWCA Treasurer shall coordinate the filing of Tax Returns by a Certified Public Accountant at the end of each season and arrange for an annual review of all DWCA financial records by a third party (who may be a DWCA member, but must not be a member of the Executive Board).

Section 5: The Fundraising Chair will be responsible for selecting, coordinating, and organizing all DWCA fundraising initiatives with Executive Board approval. The Fundraising Chair will also be responsible for keeping accurate records of fundraising expenditures and revenues, and ensuring that funds are handled in accordance with DWCA policy. If/when funds earned are to be applied to individual cheerleader accounts, the Fundraising Chair will track accordingly and provide the information to the Treasurer in a timely manner so credits may be applied appropriately.

Section 6: The Community Spirit/Service Chair will be responsible for efforts which facilitate achievement of the stated DWCA purposes of promoting citizenship and personal responsibility within the community and promote the sport of cheerleading. This will include organizing and coordinating the participation of the cheerleaders and DWCA in charitable and non-charitable community events (i.e.

parades, clinics and camps, food drives, holiday gift donations, Relay for Life, etc) in coordination with the Coaches, Executive Board, and Committee Chairs, as applicable.

Section 7: The Competition Chair shall be responsible for management of all activities related to squad attendance at competitions (local, state, and national); transportation, registrations, logistics, etc. in coordination with the Coaches and Executive Board. This officer is also an automatic co-chair of the Competition Committee. During season when DWCA will host a competition, this officer will also coordinate all activities related to hosting this large event; venue, food and vendor sales, judges, performance schedule, DJ/Master of Ceremonies, registration of competing teams, awards and recognition, volunteers, solicitation of corporate sponsorship, printed program, and t-shirt sales, etc.

ARTICLE 6 – EXECUTIVE BOARD

Section 1: The elected officers and the coaching staff for the cheerleaders of Downingtown West High School shall comprise the members of the DWCA Executive Board.

Section 2: At the beginning of his/her term of office, each member of the Executive Board shall be given a copy of these By-Laws and shall be responsible for making a thorough study of them. A copy of these By-Laws shall be made available to every member of the organization in the cheerleading tryout packet along with the Cheerleading Constitution. The By-Laws and Constitution shall be signed off as received and understood by the parent/guardian and cheerleader. Revision of these by-laws should take place as early as possible in the season so the guidelines may be as consistent as possible for the duration of the school year.

Section 3: The Executive Board shall conduct such business as is necessary to implement and expedite the actions of DWCA.

Section 4: Meetings of the Executive Board shall be limited to members of the Executive Board. Special meetings may be called by the President or any two (2) Executive Board members, provided at least 48 hours notice is given to each board member, and time and place is designated in advance. Fifty percent of the Executive Board shall constitute a quorum for the transaction of business. Each board position will have one vote. Therefore if two people share one position, together they have just one vote for the transaction of business.

Section 5: Confidentiality of members and personal information may be necessary or required in the best interest of the association or its members. All Executive Board members shall respect the confidentiality of such information when identified or evident.

Section 6: No member of the Executive Board shall derive any personal profit or gain, by reason of his or her participation. Each individual shall disclose to the board any personal conflict of interest which he or she may have in any matter pending before the board and shall refrain from participation in any vote on the matter.

Section 7: The President may seek to appoint one non-voting Board Member as an Advisor to the Executive Board. This individual should have experience in managing organizations similar to DWCA, and may or may not have any current or past affiliation with DWCA. This Advisor would be responsible for providing advice to the Executive Board on matters of process, roles and responsibilities, and common practices of other such organizations.

ARTICLE 7 – MEETINGS

Section 1: Regular meetings of all DWCA membership shall be held on a monthly basis, at a place and time determined by the Executive Board. The first mandatory member meeting should occur within one month of the squad selection so that the next year's Executive Board is promptly elected. The Executive Board shall meet prior to each general member meeting to ensure an appropriate agenda is created.

Section 2: Two weeks prior to each meeting of the Executive Board, the Secretary will distribute a shell agenda which includes any unfinished business from previous meetings to the officers of the board. Any additions to the regular topics of discussion will be reported to the Secretary at least one week in advance of the Executive Board Meeting. A completed agenda will be distributed to the officers of the board at least 48 hours prior to the board meeting. The Secretary will assemble and distribute minutes of the board meeting to the officers within five (5) days of the Executive Board meeting.

Section 3: The President may call special Executive Board Meetings as the need arises, provided seven (7) days notice has been given.

Section 4: The Secretary will assemble and distribute DWCA Parent Meeting minutes to the entire membership within one (1) week of the DWCA Parent Meeting.

Section 5: Attendance of twenty percent (20%) of the active members shall constitute a quorum for the transaction of business at any DWCA meeting. When both parents of one cheerleader are in attendance, their votes will still count as one.

Section 6: Motions made by the Executive Board shall be passed by a simple majority of the members present, and no proxies will be accepted.

ARTICLE 8 – STANDING AND SPECIAL COMMITTEES

Section 1: DWCA shall have standing committees to meet the annual needs of the membership such as but not limited to: Fundraising (to include Corporate Sponsorships and Donations), Competition, Varsity and Junior Varsity Hospitality, Football Dinners, Whippet Summer Camp, D-Dog, Year-end Banquet, Pre-season Picnic/Teambuilding Event, Community Service, Publicity/Advertising/Webmaster, Memories/Photography,, Sunshine, Holiday Party, and Scholarship.

Section 2: The DWCA Officers may create or change such standing committees, as deemed necessary to promote the objectives and carry out the work of DWCA. The term of each chairperson shall be for one (1) year or until the selection and qualification of a successor. A chairperson shall serve no more than two (2) consecutive years on the same committee.

Section 3: Each standing committee shall have a chairperson and an alternate nominated and elected at the first regular membership meeting. It shall be the responsibility of the Secretary to include this on the agenda and facilitate the election process at the first meeting.

Section 4: Each standing committee shall meet in person within four (4) months of the first regular membership meeting. Subsequent meetings shall be set by each individual committee chair and updates shall be provided to the Executive Board and parent membership at each DWCA meeting.

ARTICLE 9 – RELATIONSHIP OF DWCA TO THE DOWNINGTOWN SCHOOL ADMINISTRATION

Section 1: DWCA activities and functions must be consistent with the Downingtown Area School District Board of Education’s policy and philosophy.

Section 2: DWCA will adhere to the guidelines of the district’s Digital Technology and Acceptable Use Policy. Additionally, the following Social Media guidelines will be in place:

1. Administrative Access is limited to President, Secretary and Coaches for DWCA Website and any other DWCA Social Media.
2. Passwords must be changed annually and access to passwords is limited to President, Secretary and Coaches.
3. Bullying will not be permitted on any DWCA Social Media sites and the Board reserves the right to remove access for anyone who posts inappropriate material.
4. Posting on the DWCA social media is a privilege for parents and cheerleaders. Users are not permitted to block any active cheerleader or parents from the DWCA Facebook or other Social Media sites. If a user is blocking a current team member, their access may be deleted with President, Coaches or Board Approval.

Section 3: DWCA acknowledges that it is the school’s responsibility for the following: (a) supervision of activities; (b) hiring, dismissal, and evaluation of personnel; (c) selection, use, cleaning, and storage of equipment; (d) adherence to the district, league, and state rules; (e) preparation of fields and facilities; (f) hiring and supervision of officials; (g) transportation; (h) scheduling of athletic contests; and (i) disbursement of funds transferred to the Athletic Department.

Section 4: Members of DWCA, including the officers and other members of the DWCA are free to express their opinions on all matters relating to cheerleading to the Principal, Athletic Director, and members of the administration of the School District. Nothing in these By-Laws shall be interpreted or construed as limiting the right of expression. However, at no time shall any member, including officers and other members of the club, represent or imply that their individual views are supported by DWCA, and every member shall clearly and expressly represent that his/her opinions are not being provided through their capacity as a member of DWCA. All cheerleading parents are encouraged to address any individual concerns privately with the head coach.

Section 5: It is understood that communication between the Downingtown Administrations involving DWCA related activity should be handled via the coaching staff. The head coach will serve as the Association’s liaison with the school. The only exception to this rule will be; the DWCA Secretary shall be the primary point of contact with the Principal’s Office for Facilities Requests and Fundraising Event Date approval.

ARTICLE 10 – FINANCIAL MANAGEMENT

Section 1: DWCA will raise funds for the sole purpose of supporting the cheerleading squads' activities and reducing the individual cheerleader's expenses incurred through participation in sanctioned cheerleading events.

Section 2: The following items shall be followed:

- a) The bank account signature card will contain signatures from three officers, including the VP ,Treasurer, and one additional Officer determined by Executive Board vote.
- b) Non-budgeted expenses of less than \$50 must be approved by the President.
- c) Non-budgeted expenses between \$50 and \$500 must have the approval of the entire Executive Board.
- d) No hand-written invoices will be accepted for tax audit purpose.
- e) A voucher/receipt must be submitted within 45 days for reimbursement of any monies. DWCA tax exemption certificate must be used for all purchases.
- f) The Treasurer shall reimburse properly submitted vouchers within 10 business days.
- g) All Committee Chairpersons or Treasurer shall keep an ongoing "Fundraiser Log" to include signatures of participants acknowledging funds earned and submitted for deposit. This completed form for each fundraiser must be collected from the Committee Chairperson after each even, and submitted to the Treasurer for inclusion with the accounting records before the final audit for the year.
- h) The Executive Board will conduct a budget meeting within 30 days of the election of the new board and this proposed budget must be approved by the general membership at the second DWCA meeting of the year.
- i) An annual review of the DWCA financial records, including individual cheerleader accounts, shall be completed by a third party (who may be a DWCA member, but not a member of the Executive Board) at the completion of each cheerleading season, and prior to the assumption of duties by the incoming Executive Board members. This review must be certified by the third party as well as the outgoing President, Treasurer, and Secretary, and must be turned over to the incoming Treasurer along with all other financial records from the prior season.

ARTICLE 11 – LIMITATIONS OF ACTIVITIES

DWCA is not organized for political purposes and as such, no substantial part of DWCA activities shall consist of carrying on propaganda, raising funds for political or propaganda purposes, or otherwise attempting to influence legislation; and DWCA shall not participate or intervene in any political campaign (including publishing or distributing of statements) on behalf of any candidate for public office.

ARTICLE 12 – LIABILITIES

Section 1: No person shall assume any financial obligation on behalf of DWCA without approval of the Executive Board.

Section 2: Any person participating in fundraising activities shall be responsible for the merchandise and/or monies derived there from.

Section 3: No member, director, assistant, coach, or student shall receive merchandise and/or monies on behalf of DWCA unless so authorized by the Executive Board.

Section 4: Any member, director, assistant, coach, or student receiving merchandise and/or monies on behalf of DWCA shall give a receipt thereof.

Section 5: No member, director, assistant, coach, or student shall be held liable for stolen property or personal injuries. Personal property is the responsibility of the owner.

ARTICLE 13 – DISCIPLINARY PROCEDURE

Section 1: This association reserves the right to make and enforce its own rules and to require that its members refrain from conduct injurious to DWCA and its purposes.

Section 2: The removal of a parent member may be enforced by a two-thirds affirmative vote of the Executive Board for failure to fulfill responsibilities as outlined in these by-laws, policies, procedures or ethics of the Association. Behavior which undermines the credibility or reputation of the DWCA will not be tolerated.

Section 3: The removal of a DWCA Officer may be enforced by a two-thirds affirmative vote of the Executive Board for (1) failure to attend meetings; (2) failure to fulfill responsibilities as outlined in these By-Laws, policies, procedures or ethics of the Association; or (3) failure to represent the parent membership appropriately with decorum and respect. Behavior which undermines the credibility or reputation of the DWCA will not be tolerated.

Section 4: All efforts to resolve the problem through discussion, interpretation, clarification and counseling will be made. All points of view shall be heard. Those involved in any disciplinary procedures should keep in mind the importance of confidentiality and fairness.

ARTICLE 14 – DISPOSITION ON DISSOLUTION OF CLUB

Section 1: The property and assets of this organization are irrevocably dedicated to charitable non-profit purposes, and no part of the net income or assets of DWCA shall ever insure to the benefit of any director, office, or member thereof, or to the benefit of any private persons.

Section 2: Upon dissolution of the organization, assets shall be distributed for one or more exempt purposes within the meaning of section 501(c)(3) of the Internal Revenue Code, or corresponding section of any future Federal tax code, or shall be distributed to the Federal Government, or to a state or local government, for a public purpose. Any such assets not disposed of shall be disposed of by the Court of Common Pleas of the county in which the principal office of the organization is then located, exclusively for such purposes or to such organization or organizations, as said Court shall determine, which are organized or operated exclusively for such purposes.

Section 3: Upon resignation or removal from the cheerleading squad, once the coach and Treasurer have confirmed that all outstanding obligations have been met, any assets remaining in an individual's account will be refunded to the individual as an overpayment within 15 business days.

ARTICLE 15 – AMENDMENTS

These By-Laws may be amended at any regular meeting by a majority vote of the members present, providing the proposed amendments be read and approved by the Executive Board and the members at the previous meeting or at least six (6) days written notice has been given to the membership.