

Portage Minor Softball Association Constitution

Article 1. Name and Purpose

1.1 *The name of this organization shall be Portage Minor Softball Association and may be officially referred to as "Portage Minor Softball Association" and shall be known commonly as the "PMSA".*

1.2 *The purpose of this organization shall be:*

1.2.1 To promote the sport of softball within the Portage la Prairie area by developing skills and knowledge of the game as well as promoting respect, good attitude and sportsmanship

1.2.2 To provide an opportunity for players of Portage Minor Softball Association to play and develop softball skills at the "A" level caliber.

1.2.3 To provide an opportunity for players to develop high level skills to be able to advance into Regional "AA" softball as well as "AAA" caliber of softball.

1.3 *To do such things as may be from time to time, deemed appropriate by the Executive of Portage Minor Softball Association to carry out the purposes hereinbefore enumerated.*

Article 2. Membership and Affiliation

2.1 *Members in good standing are defined as those who have not been sanctioned by Portage Minor Softball Association for any reason.*

2.2 *Members shall consist of elected Directors of the Portage Minor Softball Association Board of Directors and Members of the coaching staff of any team of Portage Minor Softball Association*

2.3 *Membership in the Portage Minor Softball Association is open to any persons residing in the boundaries of Portage la Prairie (and Central Region) as shall be set by Softball Manitoba.*

Article 3. Directors and Executive

3.1 The Executive of Portage Minor Softball Association shall consist of the Following Directors:

3.1.1 Portage Minor Softball President

3.1.2 Portage Minor Softball Vice-President

3.1.3 Past President

3.1.4 Secretary

3.1.5 Treasurer

3.1.6 Fundraising Director

3.1.7 Communications Director

3.1.8 Registrar

3.1.9 Uniform and Equipment Director

3.1.10 Diamond and Umpire Scheduler

3.1.11 One league representative from each age division

The term of office for Portage Minor Softball executive positions shall be two (2) years.

POSITION	ELECTED
<i>President</i>	<i>Odd years</i>
<i>Vice-President</i>	<i>Even Years</i>
<i>Past President</i>	<i>Odd Years</i>
<i>Secretary</i>	<i>Even Years</i>
<i>Treasurer</i>	<i>Odd Years</i>
<i>Fundraising Director</i>	<i>Even Years</i>
<i>Communications Director</i>	<i>Odd Years</i>
<i>Registrar</i>	<i>Even Years</i>
<i>Uniform and Equipment Director</i>	<i>Odd Years</i>
<i>Diamond and Umpire Scheduler</i>	<i>Even Years</i>
<i>League Representative from each age division*</i>	<i>yearly</i>

* One league representative from each age division- selected yearly. May be elected after team selection

3.2 All officers shall be eligible for re-election. No Director may serve the same office for more than three consecutive terms.

3.3 Any vacancy occurring on the executive shall be filled, for the balance of the term of such vacancy, by the Executive. The Executive reserves the right to leave positions vacant as they deem necessary.

3.4 Any Director may be removed from office, for cause, by the remainder of the Executive. In the case of the president or vice-president, removal shall be recommended by Softball Manitoba.

3.5 Any person may hold no more than one (1) Executive position per term, except upon agreement by the Executive.

3.6 Other committees of the Executive may be appointed as deemed necessary. At least one member of each committee shall be a Director of Portage Minor Softball Association.

Article 4. Duties of the Executive

4.1 The duties of the individual Directors, in general, shall be to:

4.1.1 Carry out the objectives of the Portage Minor Softball Association as set out in Article 1.

4.1.2 Suggest and coordinate activities and undertakings to further the common interest of the teams that comprise Portage Minor Softball.

4.1.3 Maintain a good public relations program, not only with the teams but also with the general public.

4.1.4 Formulate, interpret and evolve operating guidelines for the purpose of carrying out its duties.

4.1.5 Regularly attend meetings of Portage Minor Softball and fully participate in the activities of Portage Minor Softball and remain members in good standing.

4.2 President

4.2.1 Preside at all meetings he/she attends.

4.2.2 Be the functioning officer between meetings of the Executive.

4.2.3 In accordance with Softball Manitoba Bylaws, be responsible for management of softball in the Portage Minor Softball Association.

4.2.4 With the Treasurer and one other Director, have signing authority over all financial matters. Two signatures shall be required on all cheques.

4.2.5 Be ex-officio on all committees.

4.3 Vice President

4.3.1 Have all powers and perform all duties of the President in the absence of the President

4.3.2 Be the liaison between the Portage Minor Softball Executive and the Community Association coordinators.

4.3.3 Coordinate city-wide registration for all divisions in the U7 and younger "A" through U19 "A" Program for players

4.3.4 Coordinate communication with coaches and managers of Portage Minor Softball teams.

4.3.5 In accordance with Softball Manitoba Bylaws, be responsible for management of softball in Portage la Prairie

4.3.6 Carry out other duties as assigned.

4.4 Secretary

4.4.1 Record and distribute minutes from regular, special and annual meetings of Portage Minor Softball.

4.4.2 Handle such correspondence that may be required from time to time.

4.4.3 Ensure that all meetings are appropriately advertised.

4.4.4 Carry out other duties as assigned.

4.5 Treasurer

4.5.1 Keep the financial records of Portage Minor Softball.

4.5.2 Prepare yearly financial statements.

4.5.3 Be one of three Directors authorized to have signing authority on all Portage Minor Softball bank accounts.

4.5.4 Carry out other duties as assigned.

4.6 Fundraising Director

4.6.1 Coordinate fundraising opportunities for Portage Minor Softball

4.6.2 Carry out other duties as assigned

4.7 Registrar

4.7.1 Prepare and distribute annual registration form as approved by the executive.

4.7.2 Oversee registration.

4.7.3 At the start of the current season, compile and maintain a master list of eligible players for each team in the association. Copies of said list shall be provided to the executive team

4.7.4 Provide the executive with all registration data.

4.7.5 Collect registration fees and submit records to the treasurer.

4.7.6 Ensure all coaches have minimum requirements. Respect in sport, NCCP coaching levels

4.7.7 Ensure accurate account of police checks and/or vulnerable sector checks.

4.8 Communications Director

4.8.1 social media- manage and maintain accounts

4.8.2 Communicate clinics, registrations, upcoming events etc. to coaches/players/parents

4.8.3 Principle contacts for social media outlets. Promote the association and disseminate information.

4.8.4 Communicate all internal and external communication for PMSA

4.9 Uniforms and Equipment Director

4.9.1 Oversee the distribution, maintenance, collection, and replacement (as required) of all association uniforms and equipment (balls, bats, catcher gear, bases, mounds).

4.9.2 Maintain a current and updated inventory of all association equipment and uniforms.

4.9.3 Ensure all teams are properly equipped with a first aid kit and that they are maintained.

4.9.4 Loaning pitching machine(s) and ensuring they are maintained and safe.

4.9.5 Ensure proper storage of equipment and return of uniforms at season's end.

4.10 Diamond and Umpire Scheduler

4.10.1 Be responsible for allocation of diamonds and scheduling practices and games

4.10.2 Shall coordinate with coaches for the scheduling of umpires for all games

4.10.3 Will be the liaison between coaches and umpires

4.10.4 Shall provide the treasurer a list of umpires to be paid on a regular basis, as mutually agreed upon by the Treasurer and Scheduler

4.11 One league representative from each age division

4.11.1 Non-voting position

4.11.2 Act as a liaison between team and executive

4.11.3 Assist in tournaments, and league finals

4.12 Past President

4.12.1 Advisor

Article 5. Meetings of the Executive

5.1 Regular meetings of Portage Minor Softball Executive shall be held monthly or at another mutually agreed upon schedule which is duly publicized to the Executive . A minimum of one week's notice shall be given to all Directors for meetings.

5.2 Each Director, excluding the Chair shall have one (1) vote on motions.

5.3 The Chair shall have one (1) tie-breaking vote in the case of a tie on a motion.

5.4 Motions shall be considered carried when the majority of voting Directors have voted in favour of a motion

5.5 The Commissioner may call a special meeting of the Executive at any time and shall call such meeting at the request of four or more Directors.

5.6 Quorum at meetings of the Portage Minor Softball Executive shall be half of the Directors plus one.

5.7 No meeting shall be held where quorum is not met.

5.8 In the event that it is inconvenient to call a meeting of the Executive, the President may conduct a vote by telephone or other electronic means and any motion voted upon by this method shall be deemed passed if a majority votes in favour of the motion.

Article 6. Annual Meetings of the Organization

6.1 The Annual General Meeting of the membership of Portage Minor Softball shall be held at the call of the President within ninety (90) days following the year end.

6.2 Notice of the time and place of the Annual General Meeting shall be given to the membership in any form and means deemed appropriate by the Executive between twenty-five (25) and forty (40) days prior to the meeting.

6.3 Requests for motions to be considered at the Annual General Meeting shall be submitted in writing to the Executive for its consideration before 30 days prior to the meeting.

6.4 Motions to be considered at the Annual General Meeting shall be advertised to the membership as deemed appropriate by the Executive between twenty-five (25) and forty (40) days prior to the meeting.

6.5 One vote shall be allocated to each member in good standing for the purpose of the Annual General Meeting or other special meetings of the membership as follows:

- a) *A parent or legal guardian for each player under age eighteen (18)*
- b) *OR each player who is age eighteen (18) or over*
- c) *OR each coach from the preceding season who does not already have voting rights*
- d) *OR each Director of Portage Minor Softball who does not already have voting rights Portage Minor Softball Constitution*
- e) *OR each community coordinator of any Community Association, with in Portage Minor Softball who does not already have voting rights.*

6.6 Elections for vacant or expired terms of office for Directors of Portage Minor Softball shall be held at the Annual General Meeting. A nominee shall be considered elected when he or she has received the most votes by voting members at the Annual General Meeting.

6.7 Motions to amend the Constitution of Portage Minor Softball shall be considered carried when two-thirds (2/3) of the voting members at the Annual General Meeting or other special meeting have voted in favour of the motion. Other motions shall be considered carried when a majority of the voting members at the Annual General Meeting or other special meeting have voted in favour of the motion.

6.8 Annual financial statements shall be presented at the Annual General Meeting.

6.9 The membership may request an audit or a financial review of Portage Minor Softball at the Annual General Meeting.

6.9.1 The auditor(s) shall audit the fiscal records of Portage Minor Softball.

6.9.2 The auditor(s) shall submit a written report to the Annual General Meeting.

6.9.3 The term of office of the auditor(s) shall be for one (1) year.

6.10 The fiscal year end shall be August 31.

6.11 Quorum at the Annual General Meeting shall be all those members of Portage Minor Softball in good standing who are in attendance at the meeting.

6.12 Robert's Rules of Order shall guide all meetings.

Article 7. Coaches and Assistant Coaches

7.1 There shall be a public call for interest by anyone wishing to become head coach of a Portage Minor Softball team.

7.2 A committee, chaired by the President shall be struck to conduct the process of selecting coaches for Portage Minor Softball teams.

7.3 All head coaches of Portage Minor Softball teams must hold or be in a position to obtain Respect in Sport, Criminal Record Check and the minimum National Coaching Certification Program (NCCP) Coaching Levels required by Softball Manitoba -Level One (1) Technical Certificate prior to the end of the season for which they have been selected. Failure to do so will result in the disqualification of the coach.

7.4 All assistant coaches of Portage Minor Softball teams must hold or be in a position to obtain Respect in Sport, Criminal Record Check and the minimum NCCP Levels required by Softball Manitoba prior to the end of the season for which they have been selected. Failure to do so will result in the disqualification of the coach.

7.5 All head coaches of Portage Minor Softball teams shall be selected by the Executive

Article 8. PMSA Registration Policy

- 8.1 Anyone wishing to register for softball with PMSA will be required to do so through RAMP registration.*
- 8.2 Payment is required at the time of registration via credit card or e-transfer. For e-transfers, payment must be received by end of registration close.*
- 8.3 After the registration period closes, anyone wishing to still register must pay a late registration fee of \$50, once rosters are submitted to Softball Manitoba no further late registrations will be allowed.*
- 8.4 Exception will be for U7/U9 participants as there are no evaluations or tryouts at this age group. Registration for them will close prior to commencement of the season.*
- 8.5 It is the responsibility of the parent to inform coaches or an executive team member of any health issues, behavior concerns etc for the safety of the player and teammates*

Article 9. Refund Requests

9.1 Please direct refund requests to portageminorsoftball@gmail.com

9.2 Any equipment and uniforms belonging to PMSA must be returned prior to the refund being issued. There could be various reasons why families may request a refund of their registration fees. Outlined below are some guidelines pertaining to when a refund would be issued.

9.3 Full Refund

9.3.1. Player cannot be placed on a team within PMSA boundaries.

9.3.2. Player has a medical condition and has been advised by a Medical Practitioner not to play (Player has not played any games).

9.4 Pro-rated Refunds may be issued based on the time of request.

9.4.1. Prior to team formations (usually last week of April) 100% will be refunded less an admin fee of \$25.

9.4.2. After team formations, but before the first scheduled game (usually beginning of May) 75% will be refunded less an admin fee of \$25.

9.4.3. Once league games begin, no refund will be issued.

9.4.4. Extenuating circumstances not mentioned above may arise wherein a parent/guardian may request a refund of the registration fee. These situations will be dealt with on a case-by-case basis considering the facts of each situation to come to a mutually satisfactory agreement for all parties involved as voted on by the PMSA executive committee

Article 10. Code of Conduct

Coaches/Parents/Players are expected to represent PMSA professionally, respectfully and positively at all times.

10.1. Unsportsmanlike behavior will not be tolerated on or off the field by players, coaches or parents/spectators. PMSA reserves the right to impose suspensions over and above those that may be issued by either the CRSL or Softball Manitoba.

10.2. If a coach/player/spectator/parent has a complaint made against them of unsportsmanlike conduct, abuse, unfair treatment of a player or any other severe accusation...an investigation will be done by the PMSA executive board. PMSA reserves the right to issue suspensions, and to dictate disciplinary actions if warranted.

10.3 All formal complaints received will be reviewed by the PMSA board and a letter will be issued by PMSA.

Article 11. PMSA Appeals Process

11.1 Any member of the association who is affected by a decision of the Board of Directors, or of any body or individual who has been Delegated authority to make decisions on behalf of the Board of Directors, shall have the right to appeal that decision, provided there are sufficient grounds for the appeals.

11.2. An appeal may only be heard if there are sufficient grounds for the appeal.

Sufficient grounds include

- a) Making a decision for which it did not have authority or jurisdiction as set out in the bylaws, general operating rules or division operating rules;*
- b) Failing to follow procedures as laid out in the by-laws, general operating rules or division operating rules;*
- c) Making a decision which was influenced by bias;*
- d) Failing to consider relevant information or taking into account irrelevant information in making the decision;*
- e) Making a decision that was unreasonable*

11.3. When dealing with minor age players, the coach/parent/legal guardian has the right to appeal on behalf of the minor player.

11.4. The following procedures shall be followed when filing an appeal:

- a) Any formal appeal must be made in writing to PMSA and shall be received within 7 days from the date on which they received notice of the decision.*
- b) The written appeal shall contain all pertinent details.*
- c) The appeal must be accompanied by a two hundred dollar (\$200) fee (cash or cheque).*

11.5. Within 7 days of receiving the notice of appeal, the president or their designate shall decide whether or not the appeal is based on one or more of the categories of possible errors by Portage Minor Softball Association. The president or their designate shall not determine if the error has been made, only if the appeal is based on such an allegation of error by Portage Minor Softball Association.

11.6. If the appeal is denied on the basis of insufficient grounds, the appellant shall be notified of this decision in writing, giving reasons. This decision is at the discretion of the President and two neutral Board Directors or Appointed Delegates and may not be appealed.

11.7. Any party wishing to initiate an appeal beyond the seven (7) day period must provide a written request stating reasons for an exemption to this requirement. The decision to allow, or not allow an appeal outside the seven (7) day period shall be at the sole discretion of the President or their designate.

11.8. Once a formal appeal has been received, the Board of Directors shall meet at the call of the President.

11.9. The structure of the Appeal Committee shall be as follows: a. The President b. The Secretary c. Two (2) other Executive Directors, excluding any board member who may have a conflict of interest. d. One member of the Appeal Committee must be an outside citizen who is not directly involved with PMSA.

11.10. Any member or the coach/parent/legal guardian of a minor player who is appealing will have the right to have witnesses on an individual basis appear before the Appeal Committee to give witness on his behalf

11.11. When the Appeal Committee has been called together, the following shall occur:

- a) All parties concerned will be notified as to when and where the Appeal Committee will meet to discuss the appeal
- b) All parties concerned with the appeal should be available at the specified time to provide information or answer questions
- c) A written report shall be held by the secretary on behalf of the Portage Minor Softball Association and a copy provided via email or mail to the appellant, based on their preference, within 7 days following the decision rendered by the Board of Directors.
- d) Appeal or protest fees will be returned to the member appealing or protesting if the appeal or protest is upheld. If rejected, at anytime during the Appeal Process, Softball Manitoba will retain the fee.

12. The decision of the Appeal Committee is final.

Article 12. Complaints

12.3 All complaints will need to be submitted in writing to portageminorsoftball@gmail.com

12.2 Parents who would like to express a complaint will follow the 24 hour rule. This means the parent must wait 24 hours prior to speaking with anyone on the team/board or otherwise about their complaint.

12.3 Parents will first approach their team liaison, if there is no team liaison then the head coach should be approached. If the complaint is about the head coach please submit in writing to the PMSA board

12.4 Once the complaint is expressed, a response will be provided within 72 hours to confirm receipt of complaint.

12.5 The PMSA board will convene within one week to discuss the concern and provide next steps and/or resolution, where possible, to the parent.

Article 13: Special Requests

13.1 Any special requests such as coaching with another coach, friend requests, travel requests etc will need to be submitted in writing to the PMSA board to be considered.

13.2 All requests need to be submitted prior to team selection.

13.3 PMSA will consider all requests submitted in writing. The board will have final decision, no requests are guaranteed.

Article 14. Amendment and Effective Date

14.1 This Constitution may be amended, repealed or replaced by a two-thirds (2/3) majority of voting members present at an Annual General Meeting or at a special meeting called for that purpose.

14.2 Any proposed amendment must include the articles and sections of the Constitution to be amended and must be submitted in writing to the Executive between forty-five (45) and sixty (60) days prior to any Annual General Meeting or special meeting called for that purpose.

14.3 All proposed amendments to the Constitution must be advertised to the membership between twenty-five (25) and forty (40) days prior to the date of the Annual General Meeting or special meeting called for that purpose.

14.4 This Constitution shall come into effect upon approval at an Annual General Meeting or a special meeting called for that purpose.

******Every director acting on the instruction of the board, shall not be liable in respect of any action, suit, or proceeding proposed, or commenced against him or her. ******

Article 15. Certificate and Approval

10.1 This Constitution is declared to be passed by motion t his 29th day of January (month), 2025 (year)

A.D. as attested to by the hand of the Executive this 29th day of January (month), 2025 (year) A.D. in accordance with Article 14 of this constitution