

BY-LAWS OF THE COLGAN SHARKS ATHLETIC BOOSTER CLUB

TABLE OF CONTENTS

- I. Name, Purpose and Objectives
 - II. Membership and Fees
 - III. Board and Executive Committee
 - IV. Officers and Board Members
 - V. Standing Committees
 - VI. Athletic Teams
 - VII. Meetings
 - VIII. Finances
 - IX. Amendment of By-laws
 - X. Dissolution of Club
 - XI. Internal Revenue Service Addendum
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ARTICLE I – Name, Purpose and Objectives

1.01 Name

The name of this organization is the Colgan Sharks Athletic Booster Club, commonly known as Colgan Athletic Booster Club, herein referred to as "the Club."

1.02 Purpose

The purpose of the Club is to promote and assist in the supplementary financial support of the Athletic Department at Charles J. Colgan High School (CHS). Additionally, the Club must demonstrate an atmosphere that is consistent with the educational philosophy of the school community at CHS. This includes maintaining the organization, implementing all fundraising activities and providing expenditures for all teams under the administration of the Director of Student Activities in compliance with Title IX of the Education Amendments of 1972, 20 U.S.C. Â§1681 et seq.

1.03 Objectives

- A. Develop an organization with an active and dynamic membership that maintains involvement and is concerned with all athletic activities and all participants regardless of sex, race, socio-economic status or chosen activity.
- B. Provide supplementary financial support for athletic activities at CHS.
- C. Encourage attendance at all CHS athletic events and promote school spirit and sportsmanship at those events.
- D. Strive to limit participation fees paid by students and seek to provide scholarships or financial assistance to students where applicable.
- E. Assist school staff in organizing and staging special events, fundraisers and projects specific to the Athletic Department of CHS.
- F. Assist and support the school staff and coaches in the areas of promotion, publicity and program development for student athletes.
- G. Strive to provide support for postsecondary education for exceptional student athletes.

1.04 Nonprofit Status

Notwithstanding any other provisions of these by-laws, the Club shall carry out activities permitted by an organization exempt from federal income tax under Section 501(c)(3) of the Internal Revenue Code of 1954 or the corresponding provision of any future United States Internal Revenue Law or by an organization, contributions to which are deductible under Section 170(c)(2) of the Internal Revenue Code of 1954 or the corresponding provisions of any future United States Internal Revenue Law.

ARTICLE II – Membership and Fees

2.01 Membership

Membership levels shall be established yearly by the Board upon recommendation from the Membership Committee. Each member in the Club shall be entitled to one vote on issues that are put to a vote of the general membership; members must be present at the General Membership Meetings to vote. A member is considered to be in “good standing” if they have paid the current year’s membership fee or agreed to volunteer such hours on behalf of the Club as defined by the Board.

2.02 Membership Fee

A membership fee, established by the Board yearly, shall accompany each application for membership and shall become the property of the Club. All persons having an interest in CHS are eligible for general membership in the Club at any time through the payment of yearly dues concurrent with the school year. The family of each participant in the athletics program is encouraged to maintain membership in the Club.

2.03 Members Right to Privacy

Any personal information gathered or requested by the Club is for the sole use of the Club and will not be made available to any other organization.

ARTICLE III – Executive Committee and Board

3.01 Executive Committee

The Executive Committee shall consist of the President, Vice President, Recording Secretary, Corresponding Secretary and Treasurer. The Director of Student Activities will be invited to all Executive Committee, General Membership and Standing Committee Meetings in a liaison role.

3.02 Board

The Board shall be responsible to act on behalf of the Club in the management of the business affairs of the organization, except for matters decided by a vote in the General Membership Meetings.

The Board shall consist of the following members:

- A. President
- B. Vice President
- C. Recording Secretary
- D. Corresponding Secretary
- E. Treasurer
- F. Chairpersons from each Standing Committee
- G. Athletic team representatives

3.03 Board Responsibilities

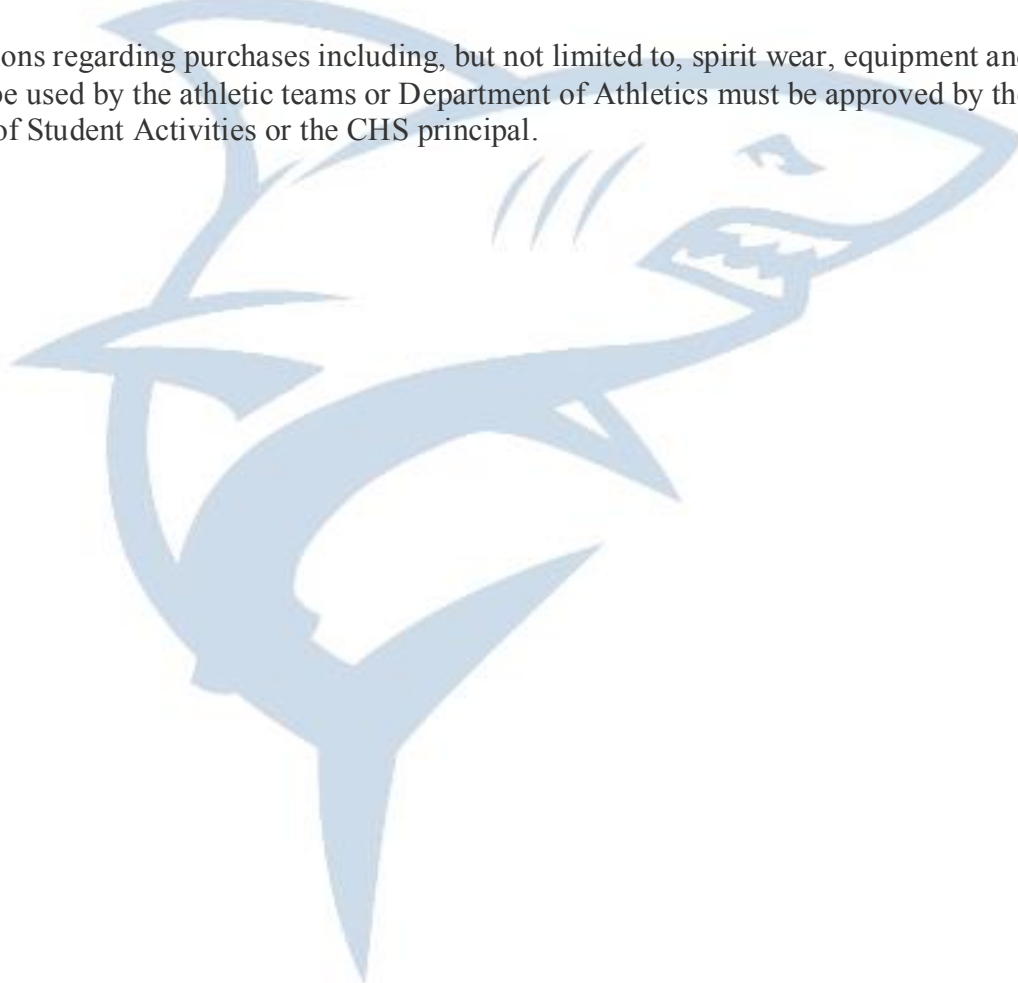
- A. Approve the President's creation and dissolution of all necessary Committees and the selection of Chairpersons.
- B. Set the time and date of General Membership Meetings and give members timely notification.
- C. Establish policies and procedures for all activities, actions and business of the Club as needed including but not limited to purchasing, sales, financial transactions, budget planning, fundraisers and communications.
- D. Adopt an annual budget that shall require the approval of the general membership at the Annual Business Meeting. The first annual budget shall not require the approval of the general membership.
- E. Review the Club goals and budget every three months. Adjustments to the budget during the fiscal year of more than plus or minus 10% annually shall require the approval of the general membership. All other budget adjustments shall be reported to the general membership. Posting on the Club's website with an email notification to all subscribed members shall satisfy this requirement.

3.04 Decisions

The Board shall act on behalf of the Club for routine business matters including but not limited to financial and business transactions such as the approval of invoices and the ordering of spirit items and other necessary supplies within the limits of the approved budget.

If action on behalf of the Board or Club is necessary before it is reasonable to convene the Board or General Membership Meeting, the President shall take such action based on the majority vote of the Executive Committee. A report of the action taken shall be presented at the next Board or General Membership Meeting.

All decisions regarding purchases including, but not limited to, spirit wear, equipment and other items to be used by the athletic teams or Department of Athletics must be approved by the CHS Director of Student Activities or the CHS principal.



ARTICLE IV – Officers and Board Members

4.01 Election

- a) There shall be a Nominating Committee of an uneven number, no less than three members, who shall be appointed by the Board at least three months prior to the Annual Business Meeting. This committee shall elect its own chairperson.
- b) The Nominating Committee shall nominate an eligible Club member for each Executive Committee position to be filled, and shall report such nominees to the Recording Secretary. Nominations shall be made to the general membership no less than 30 days prior to the Annual Business Meeting. At the Annual Business Meeting, additional nominations may be made from the floor for those Executive Committee positions for which no candidate has been identified.
- c) Only those Club members who have consented to serve if elected shall be nominated.
- d) The officers and Board members shall be elected by a majority of the voting membership present at the Annual Business Meeting. All elected officers, Board members and Standing Committee chairs must be current members of the Club.
- e) A term is one fiscal year, July 1 through June 30. An individual may not serve in the same elective capacity for more than four consecutive terms, with the exception of Treasurer, which is for no more than six consecutive terms.
- f) The President, with the approval of the Board, shall appoint any officer vacancy, other than the President. A vacancy in the office of the President shall be filled by a majority vote of the Board at its first meeting after the vacancy occurs.

4.02 Duties of Officers

- a) **President** The President shall:
 - 1) Preside at all meetings.
 - 2) Appoint Standing and Select Committee chairpersons with the concurrence of the Board.
 - 3) Appoint and/or dissolve all other committees as required.
 - 4) Serve as ex-officio member of all committees.
 - 5) Serve as primary spokesperson for the Club, except as otherwise specified.
 - 6) Direct goals and budget performance.
- b) **Vice President** The Vice President shall:
 - 1) Perform all the duties of the President in his/her absence.
 - 2) Annually research and recommend required insurance for the Club and its Board.
 - 3) Annually review the by-laws and recommend revisions as deemed appropriate.
 - 4) Annually file tax returns and any other non-profit filings.
 - 5) Oversee and support the efforts of the Standing Committee chairpersons.
- c) **Recording Secretary** The Secretary shall:
 - 1) Keep a record of all the proceedings of the Executive Committee, Board and General Membership Meetings of the Club in a regular bound Secretary's Book.
 - 2) Post approved minutes on the Club's website within a reasonable amount of time.

- 3) Keep a record of all decisions of the Board in a separate, bound Secretary's Book.
- d) **Corresponding Secretary** The Secretary shall:
 - 1) Receive and send all Club correspondence.
 - 2) Serve as chairperson of the Communications Committee, which is responsible for all communications and public relation activities of the Club, including promotional outreach to the Club membership, the community at large and media outlets. This committee also coordinates all promotional materials for the Club, including brochures, newsletters, fliers, etc.
- e) **Treasurer** The Treasurer shall:
 - 1) Maintain a complete set of books of account in accordance with generally accepted accounting principles and practices. At the end of the fiscal year, shall deliver over to his or her successor all books, monies and other property in his or her charge, or, in the absence of a successor, shall deliver such properties to the President.
 - 2) Maintains a clear and standardized ledger of general and encumbered incoming funds and itemized disbursements, in a standardized computer format, which can be easily transmitted to other officers and a Club accountant, as needed.
 - 3) Assist in the formulation and annual review of a Financial Management Policy to be approved by the Board and adopted by the general membership.
 - 4) Make disbursements from the athletic team accounts and the general fund in accordance with the Financial Management Policy. Ensure that the athletic teams properly expend all designated funds that come from their encumbered Club accounts. These funds shall be reconciled at least quarterly with the Club Treasurer.
 - 5) Secure proper vouchers and pay expenses approved by the Board; receive and deposit monies of the Club in the Club's checking and/or savings account.
 - 6) Report the amount of money available in the general fund and athletic team accounts at each monthly General Membership Meeting.
 - 7) The monthly financial reports shall include an accurate representation of Club funds.
 - 8) Submit all necessary financial records to the Auditing Committee or the professional auditor at the end of the fiscal year.
 - 9) Note: No individual has the authority to use or remove any funds from any Club checking or savings account for investment purposes or otherwise, unless directed and approved by the Board majority or in accordance with the Financial Management Policy.

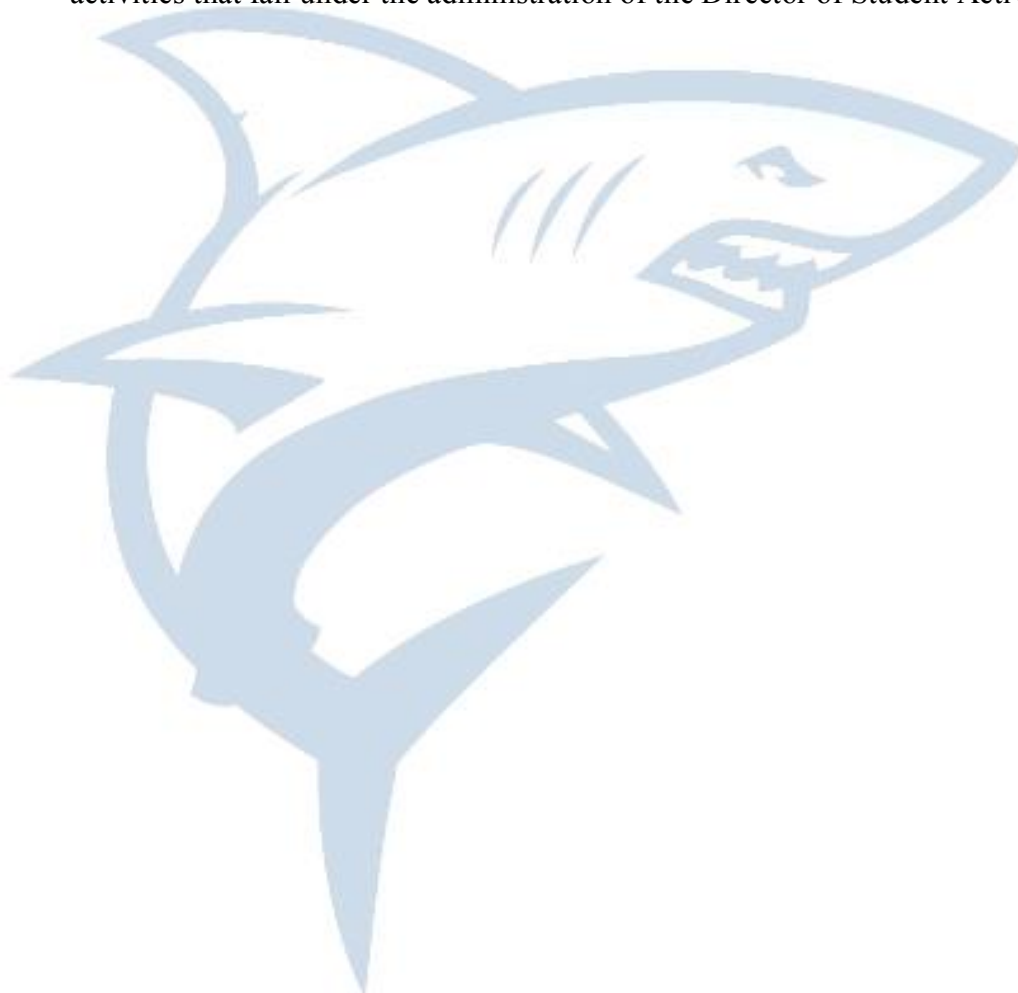
4.03 Chairpersons of Standing Committees

The role of these chairpersons is outlined in Article V.

4.04 Athletic Team Representatives The athletic team representatives shall:

- 1) Be selected by the individual athletic teams. Athletic team representatives may not represent more than one team.

- 2) Each team shall have a representative present at each General Membership and Board Meeting.
- 3) Disseminate information to and from the General Membership and Board Meetings to their individual teams. This includes communicating to their teams that team members are responsible for contributing to projects and fundraising activities as called upon by the Board.
- 4) Assist their team's coaches in determining their individual physical and financial needs.
- 5) Work with the Treasurer and Board to formulate the annual budget for all activities that fall under the administration of the Director of Student Activities.



ARTICLE VI – Athletic Teams

6.01 Fundraising

All athletic teams are encouraged to participate in the three major seasonal fundraisers that are conducted by the Club each year. The Club requires the participation of all seasonal athletic teams as an alternative to individual team fundraising. All teams shall obtain the approval of the Board prior to conducting any other fundraiser. Ordinarily, teams are discouraged from requesting fundraisers that do not benefit all athletic activities of CHS. It is recognized that certain teams may have unusual financial requirements during start-up of a new team or when teams' have special events or invitational events. The Club will make efforts to support these financial requirements from Club funds and will consider such requests for team-specific fundraisers on a case-by-case basis.

6.02 Athletic Team Representatives

The role of athletic team representatives at Board and General Membership Meetings is outlined in Article IV, section 4.04.

6.03 Donations

Teams are encouraged to solicit donations to benefit the Club. However, Title IX compliance is the responsibility of the Club, Director of Student Activities and Principal. Therefore, no member of the Club shall promise how donated funds, equipment, apparel or accessories will be distributed without prior approval of the club.

Additionally, no coach, teacher, sponsor, representative or member shall personally collect and or pay for anything related to activities at CHS. This is necessary to ensure compliance with Title IX and IRS rules and regulations related to the Club's non-profit status.

ARTICLE VII – Meetings

7.01 Annual Business Meeting

The Annual Business Meeting of the Club shall be held at the May General Membership Meeting unless otherwise specified by the Board. Any change to the Annual Business Meeting date, time or location shall be announced a minimum of two weeks in advance of the proposed change.

7.02 General Membership Meetings

General Membership Meetings shall be held monthly unless otherwise specified by the Board and reasonable notice is provided to the general membership. Meetings shall be open to all interested persons.

After the meeting agenda is approved, any member in good standing, administrator, teacher, coach/sponsor or student may address the Board on any non-agenda item for a maximum of two minutes. A sign-up sheet shall be available 15 minutes prior to the beginning of the meeting and the total time allotted for all comments shall be 15 minutes.

7.03 Board Meetings

Board Meetings shall be held monthly unless otherwise specified by the Board. A summary of the decisions reached and Board members present at each meeting shall be distributed to all Board members, members and teams within a reasonable timeframe following the meeting and before the next General Membership Meeting. Posting such decisions on the website with an email notification to all subscribed members shall satisfy this requirement. Items requiring a vote may be acted on in person, by telephone, videoconference or email.

7.04 Executive Committee Meetings

Executive Committee Meetings may be called by the President as needed to address items requiring quick action. Items requiring a vote may be acted on in person, by telephone, videoconference or email.

7.05 Quorum

A quorum for the transaction of business at the Annual Business Meeting and at General Membership Meetings shall be five percent (5%) of the members with a current annual paid membership. A simple majority of Board members shall constitute a quorum for Board Meetings. In all voting instances, majority rules.

7.06 Robert's Rules of Order

Robert's Rules of Order, the latest edition, shall be recognized as the authority governing the meetings of the Club, its Board and its Committees.



ARTICLE VIII – Finances

8.01 Financial Management

All monies received by the Club for any purpose shall be deposited to the credit of the Club in a financial institution or institutions selected by resolution of the Executive Committee.

8.02 Accounting

Funds raised by and/or allocated to specific athletic teams, although deposited in the Club's account, shall be separately tracked as encumbered funds for each athletic team. Expenditures from these encumbered funds do not require Executive Committee approval but may be expended on behalf of these teams or clubs at the discretion of the team's Head Coach/Sponsor and/or duly authorized member. No athletic team should submit a payment request that exceeds the amount of funds available, at the time of the request, in that team's encumbered funds account. The Executive Committee may decline a request for funds if the team balance is inadequate to cover the expenses.

All purchases shall be reviewed by a school administrator (Director of Student Activities or Principal) prior to funds being disbursed or items purchased with Booster money. (This is to eliminate double ordering, Title IX issues, and help with the tagging process of items over \$500 for inventory purposes).

8.03 General Fund

Funds raised by the Club that have a specific advertised purpose shall be deposited (and separately tracked) in the Club's general fund to ensure that the funds are disbursed for the advertised purpose and to safeguard the integrity of the Club and the School. No vote is required by the general membership unless the advertised purpose has been altered or changed since the project's inception. Funds raised outside of the Club by a CHS athletic team, but whose funds are directed to the Club for financial record keeping, also require the same Club procedures for disbursement.

8.04 Fundraising

Funds raised by the Club shall only be directed to an approved athletic-related activity or the general fund. All requests to direct money elsewhere must have prior approval of the Executive Committee.

8.05 Interest

Any monetary interest generated by the investment of the Club's general funds and/or encumbered funds, in an approved financial institution, will be deposited into the Club's general fund.

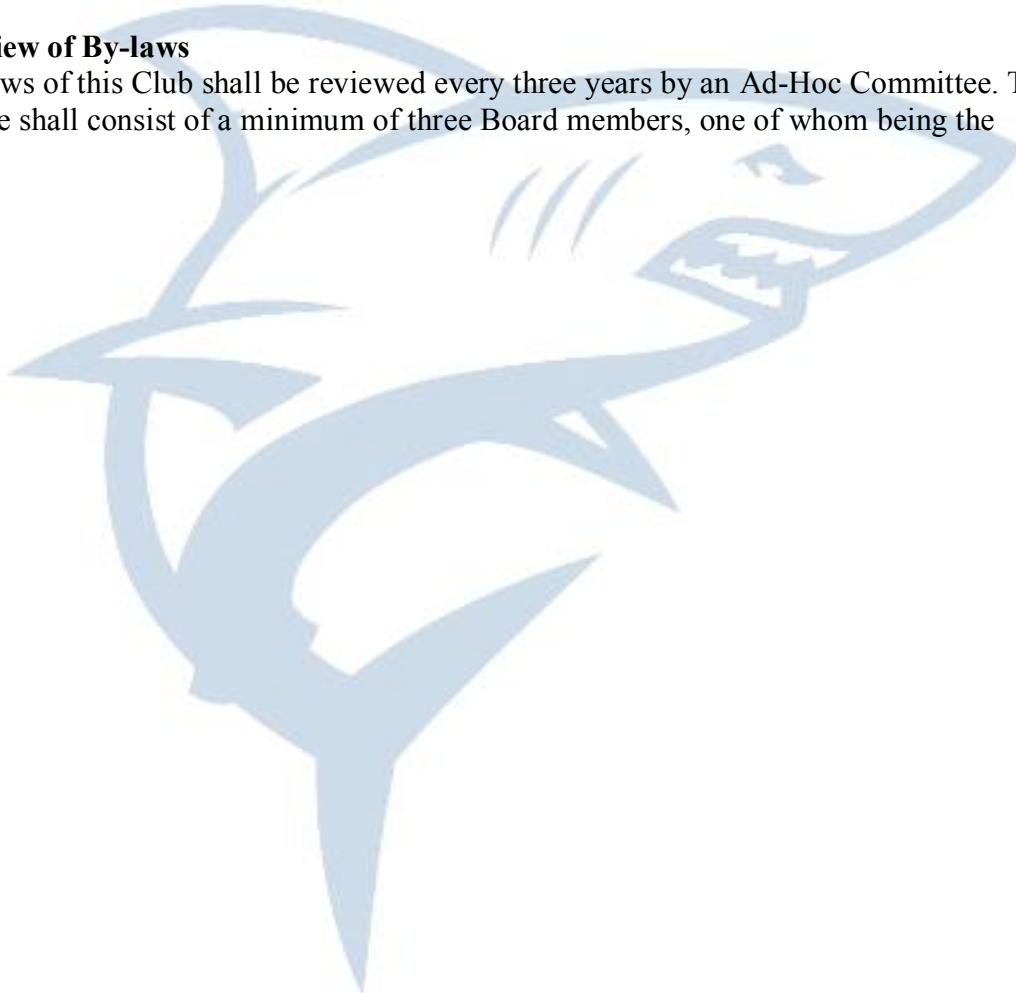
ARTICLE IX – Amendment of By-laws

9.01 Board's role

These by-laws may be amended at any meeting of the general membership by a two-thirds majority vote of the Club members present and voting, provided that notice of the proposed amendment was given at the previous meeting. Such notice should be at least 30 days prior to the meeting at which the revision or the amendments are to be voted upon. A quorum shall be established at the meeting in which voting takes place.

9.02 Review of By-laws

The by-laws of this Club shall be reviewed every three years by an Ad-Hoc Committee. This committee shall consist of a minimum of three Board members, one of whom being the President.



ARTICLE X – Dissolution of Club

10.01 Dissolution of the club entity

In the event that the Colgan Sharks Booster Club ceases to operate as a legal entity, all of the Club assets and cash will be distributed equally to all active athletic teams having an account with the Club. Distribution to the teams will be calculated in the following manner; the total sum of the Club's ending cash balance, including assets converted to cash, divided by the total of all teams participating in the previous year prior to the Club's dissolution. Once distributed, the funds can be used at the discretion of the team and/or its duly authorized designate. Account balances for teams no longer active at CHS will be added to the general fund balance prior to the final distribution in the manner described above.

10.02 Interest

Upon Club dissolution, the interest generated in perpetuity by the assets of the Club will be distributed on an annual basis equally to all CHS athletic teams based upon team participation as described in section 10.01.

ARTICLE IX – Internal Revenue Service Addendum

11.01 Internal Revenue Service Addendum

This organization is organized and operated exclusively for charitable and educational purposes within the meaning of 501(c)(3) of the Internal Revenue Code.

Upon dissolution of this organization, its assets shall be disposed of exclusively for the purposes of the corporation or distributed to such organizations organized and operated exclusively for charitable purposes which shall, at the time, qualify as exempt organization under section 501(c) (3), or shall be distributed to the federal government, or to a state or local government, for a public purpose.

No part of the net earnings of the corporation shall inure to the benefit of or be distributed to any director, employee or other individual, partnership, estate, trust or corporation having a personal or private interest in the corporation. Compensation for services actually rendered and reimbursement for expenses actually incurred in attending to the affairs of this organization shall be limited to reasonable amounts.

No substantial amount of the activities of the organization shall be the carrying on of propaganda, or otherwise attempting to influence legislation and this organization shall not intervene in (including the publishing or distributing of statements) any political campaign on behalf of or in opposition to any candidate for public office.