



NEWBURY PARK HIGH SCHOOL BOOSTER CLUB



(Amended May 2005)
(Amended September 2009)
(Amended September 2018)

Preamble

As Parents and Supporters of Newbury Park High School Students, in order to fulfill the requirements of State Education Code 51521, and wishing to organize into individual Booster Support Groups, do establish this Constitution by which our individual Booster Support Groups are to be governed.

Article I: Name

Officially named NEWBURY PARK HIGH SCHOOL BOOSTER CLUB was originally established and founded on August 28, 1967 and was officially incorporated on August 15, 1969 in the state of California. This organization shall also be known as NEWBURY PARK HIGH SCHOOL UMBRELLA BOOSTER CLUB. Each individual Booster Group shall have its own official name as stated in each Group's By-Laws.

Article II: Purpose and Objectives

Section 1: It shall be the purpose of the Newbury Park High School Booster Club to organize into individual Booster Support Groups, under separate By-Laws, with the objective to:

- A. Induce and stimulate parent and student participation in curricular and co-curricular programs at Newbury Park High School.
- B. Raise money and establish funds for the benefit of the students, from which student extra-curricular activities may be provided with equipment, materials, supplies and financial support not available through School or District funds.
- C. Stimulate Community involvement and support for student activities at the High School.
- D. Support the High School and its Administration and assist with school activities as needed.

Section 2.: It shall be the policy of the Booster Club and all its individual Booster Groups to be non-profit, non-commercial, non-sectarian, and non-partisan, and shall not engage in any activities other than those deemed necessary to accomplish the stated goals and objectives.

Section 3.: It shall be the objective of the Booster Club and all its individual Booster Groups to follow and implement all the rules and regulations governing such Parent Organizations including, but not limited to, the original Articles of Incorporation by which this Group was incorporated, Part I of Division 2 of Title I of the California Corporation Code, Section 501 (c)(3) of the Internal Revenue Code for federal tax-exemption, Section 23701d of the California Revenue and Taxation Code for state tax-exemption, Section 509 (a) of the Internal Revenue Code for non-private Foundations, the State Registry of Charitable Trusts, Title IX of the

Education Amendments of 1972 regarding sex discrimination, California State Education Code 51521, and Conejo Valley Unified School District (CVUSD) Policy 1230.

Section 4: The Booster Club and all the individual Booster Groups are independent organizations and, although bound by this Constitution, are not liable or responsible to or for each other.

Article III: Membership

Section 1: Group Membership in the Newbury Park High School Booster Club shall be open to every authorized individual Booster or Parent Support Group at the High School. Non-authorized groups must first comply with District Policy 835 prior to being accepted into the Booster Club. The individual Booster Group Members known to exist at the time of the revision of this document are Baseball, Boys Basketball, Girls Basketball, Cheer, Choral, Cross Country, Dance, Football, Boys Lacrosse, Girls Lacrosse, Orchestra, PFA, Soccer, Softball, Swim, Tennis, Track, Boys Volleyball, Girls Volleyball, Wrestling, Panther Band, Scholarship, Strings, Boy's Water Polo, Girl's Water Polo. Membership may be amended from time to time by majority vote of the current Booster Club Membership.

Section 2: General Membership in the individual Booster Groups shall be open to any Individual, Group, Corporation, Business, or Organization who is genuinely interested in supporting the Students and their extra-curricular activities at Newbury Park High School.

Section 3: Active Membership in the individual Booster Groups shall include all Parents and Guardians of participating Students and Students wishing to participate in the programs each year of the individual Booster Groups. Active Membership is on a Group-by Group year-by-year basis as determined in the By-Laws of each Booster Group. Honorary Active Membership for non-Parents or Guardians may also be available if agreed to by the Active Membership of the Booster Group.

Section 4: No Membership, General or Active, shall be restricted or denied through the payment of Dues or Membership Fees. The Booster Club and its individual Booster Groups may, in its By-Laws, qualify membership based on participation or any other non-financial means. However, membership must remain inclusive and not exclusive. Membership shall be available throughout the year.

Section 5: No Member, General or Active, shall have any right or interest in any of the property or assets of the Booster Club or its individual Booster Groups, nor be personally liable for the debts, liabilities, or obligations of the organization.

Article IV: Officers and Directors

Section 1: The Booster Club and each of its individual Booster Groups shall, in their By-Laws, form a Board of Directors, Executive Committee, or other Leadership Group consisting of elected or appointed Officers which have the responsibility of managing and administrating the operation of the Booster Club or the individual Booster Group.

Section 2: The Executive Board or designated Leadership Group shall consist of a minimum of four (4) main Officers of which are President, Vice President, Secretary and Treasurer. Additional Officers as written in the Booster Group's By-Laws may consist of Auditor, Finance Director, Activities Director, Fundraising Director, Snack Shack Director, Group Representative, or other Directors or Members specifically identified by name in the By-Laws. The total number and name of Official Officers and their duties shall be as written in each Booster Group's By-Laws.

Section 3: The Four (4) main Executive Officers as listed above must be elected as described in the following Articles and as written in the Booster Group's By-Laws. The other Executive Officers may either be elected or appointed as directed in the By-Laws. No single person or family may hold more than two (2) Executive positions at any time, nor there be any more than one (1) person or family holding multiple positions on the Executive Board or Leadership Group. Co-Officers are to be limited to only two (2) persons each in a maximum of two (2) Officer's positions on the Executive Board.

Section 4: Only current Active Members of the Booster Club or individual Booster Group, with no conflict of interest, may be an Officer on the Executive Board or Leadership Group. With the exception of the High School Principal and Assistant Principals, no High School Administrator, Teacher, Coach, or other High School employee in a position of authority may hold an Officer's position on the Board.

Article V: Duties of Officers

Section 1: President: The President of each Booster Group shall call and preside over all meetings and social gatherings of the Booster Group, appoint Committee Chairpersons, be an ex-officio member of every Committee, execute official documents, and direct the other Officers on the Board. The President shall be responsible for the general administration and coordination of the Booster Group.

Section 2: Vice President: The Vice President of each Booster Group shall assist the President in all the same duties as the President, perform the duties of the President in his or her absence, and succeed the President if the position becomes vacant in mid-term. The Vice President shall perform any other additional duties as directed by the Board.

Section 3: Secretary: The Secretary of each Booster Group shall record and keep a permanent record of the minutes of all official meetings of the Booster Group, shall issue and receive correspondence, mailers, fliers and other such written materials on behalf of the Booster Group, and shall maintain the Constitution, By-Laws, and other permanent records of the Booster Group.

Section 4: Treasurer: The Treasurer of each Booster Group shall receive all money paid to the Booster Group for immediate deposit, issue approved disbursements by check for all expenditures, and shall keep a detailed record of all assets, incomes, and expenditures throughout the Fiscal Year. The Treasurer shall submit an updated Financial or Treasurer's Report to the Executive Board or Active Membership at each regular meeting for review and approval and shall assist in the filing of all annual Federal and State tax forms and records including payment of related fees. Financial records shall be maintained in accordance with generally accepted accounting principles.

Section 5: Other Officers: As written in the By-Laws of each Booster Group, other Officers may be so named and designated to perform such duties as conducting an annual Audit and issuing the Audit for Board approval, preparing and managing the Booster Group's annual Budget, coordinating and managing fundraising and other activities, collecting sponsorships and donations, running Snack Shacks, representing sub Groups within the Booster Group, promoting publicity, and conducting other activities in support of the Booster Group's stated Goals and Objectives.

Article VI: Terms and Elections of Officers

Section 1: The Booster Club and its individual Booster Groups shall hold annual elections to select at least the four (4) main Officers to the Executive Board or other Leadership Group as written in each Group's By-

Laws. Elections shall be conducted by ballot, either open or closed, and shall be officially counted and recorded by at least two (2) designated Officers from the Board. Persons continuing as Officers after a Term is completed must be officially re-elected to that position.

Section 2: The Terms of Office of each Officer on the Executive Board or other Leadership Group, the time of year at which elections are to be held, the starting and ending dates of each Term of Office, and method of selecting or nominating candidates to be elected, shall be as written in the By-Laws of the Booster Club or individual Booster Group.

Section 3: All candidates nominated for election to the Board shall be current Active Members as written in Article III.3 and Article IV.4 above, plan to maintain Active Membership with no conflict of interest throughout the Term of Office and must be in good standing with the Booster Group.

Section 4: All candidates nominated for election to the Board shall have their names entered on the Official Ballot under the name of the Office for which they seek. The Active Membership at large may make additional nominations from the floor at the time of elections. All Nominees must be present or have given prior consent for their names to be placed on the Ballot. An additional line shall be provided on the Ballot for a write-in name for each Officer's position. A majority vote of the Active Membership present at the elections, with one (1) vote for each member present, shall determine the winners. No proxy votes.

Section 5: By a majority vote of the Executive Board or the Active Membership, a current Officer may be removed from their position on the Board due to inactive participation, a change in qualifications, or for any other reason the Board determines with or without cause. The Executive Board may appoint a temporary Officer to the Board to fill any vacancy until the next annual elections of the Board.

Article VII: Meetings

Section 1: The Booster Club and its individual Booster Groups shall schedule and conduct at least four (4) regular Executive Board and Active Membership meetings each program year including elections of Officers as described above. Exact numbers and schedules of meetings shall be as written in each Booster Group's By-Laws. The President may call additional or emergency meetings as deemed necessary. The President or Vice President must be present in order for meetings to be considered official.

Section 2: All official meetings shall be open to all General and Active Club Members as well as Executive Board Officers. No closed or private official meetings are permitted. The determination of voting qualifications at each meeting shall be as written in each Group's By-Laws. A method shall be written in the By-Laws to allow for the voting rights on any specific issue to be open to the full Active Membership present at any meeting. Executive Board Officers holding more than one position on the Board shall have only one (1) vote. No proxy or multiple votes shall be accepted at any time.

Section 3: All meetings shall be conducted in an orderly and timely manner according to Robert's Rules of Order with all proceedings being recorded in the Minutes. Each official meeting shall have a written Agenda, shall record attendance of all present, approve the Minutes from the previous meeting, review and approve the current Financial or Treasurer's Report, and approve any disbursements of money. In addition, time will be made available at every meeting to anyone else present who wishes to address the Board or Membership on any topic whether on the Agenda or not.

Article VIII: Funds and Administration

Section 1: All Funds of the Newbury Park High School Booster Club shall be deposited in an account at a local Financial Institution. Each individual Booster Group shall maintain their own individual accounts at a local Financial Institution and may either use the Tax Identification Number of the Umbrella Booster Club or use their own Corporate Tax Identification Number. No Booster Group shall open an account under a private or personal Tax Identification Number. Additional Savings or Certificate type interest bearing accounts may also be opened under the same Identification Number. Booster Group Funds may not be invested in Stocks or other such risk investments.

Section 2: All Booster Group accounts must be established with the requirement of two (2) authorized signatures on every check or other disbursement of funds. All disbursement of funds must have prior approval of the Board. Authorized signers shall be limited to the four (4) main Executive Board Officers and shall not include the Auditor, nor shall any two (2) signers come from the same family. The Secretary or Treasurer of each Booster Group shall be responsible for advising the Financial Institution of changes in authorized signers and maintaining active signature cards on file.

Section 3: No Booster Group shall ever borrow, loan, or otherwise be financially indebted to any individual, group, business or Financial Institution. Only minor advancements or petty disbursements of funds may occur from time to time without prior Board approval, however, reimbursement for such may only occur upon submission of suitable reason and evidence and with Governing Board approval.

Section 4: The Booster Club and each individual Booster Group shall maintain their Group's financial records on a fiscal year basis with an open book policy as written in each Booster Group's By-Laws. An end of year Financial Statement must be reviewed and approved each year by the Executive Board or Active Membership of each Group. All individual Booster Groups using the Umbrella Booster Club's tax ID number shall report their financial activities to the Umbrella Booster Club on a regular basis and make a final report at the end of the Umbrella Booster Club's Fiscal Year for the purpose of filing annual tax forms and records.

Section 5: The Booster Club and each individual Booster Group must be Re-Authorized each year under CVUSD Policy 1230. Each individual Booster Group shall be required to conduct an official Audit at least once a year for the purpose of Re-Authorization, which shall be reviewed and approved by the Group's Executive Board or Active Membership. Additional Audits shall be conducted whenever a change in the position of Treasurer occurs or for any other reason the Executive Board, the High School or the District so decides.

Section 6: The Booster Club and each individual Booster Group shall prepare an Annual Budget which shall be reviewed and approved by each Booster Group's Executive Board or Active Membership each year. No Budgets shall project any profits; however, special Funds may be established and collected for the purpose of future financial needs. Each Group's Annual Budget, Annual Financial Statement and Annual Audit shall be submitted to the High School and the School District as part of the Annual Re-Authorization procedures required under CVUSD Policy 1230.

Section 7: The Booster Club and each individual Booster Group are Parent only support organizations and as such must maintain complete separation from the High School. Booster Group Funds are not to be co-mingled with Student Body or High School Athletic Funds. **No Coaches or Program Directors are to be directly or indirectly in control of the Booster Groups.**

Section 8: Although the Booster Groups may, with Executive Board approval, allocate funds for additional Coaches or other Staff Members, only the District, through the High School, shall pay for such services with reimbursement paid to the District by the Booster Group. All individual Members of Booster Groups are

volunteers only and shall not be employed or paid directly out of the Booster Group's Funds for any personal services rendered.

Section 9: Liability Insurance is provided to each Booster Group by the School District through the annual Re-Authorization process in CVUSD Policy 1230. Additional insurance for Fire, Theft and Bond Protection is optional to be obtained independently by each Booster Group. All Booster Groups shall not maintain any Group Assets other than Funds in their Account. All equipment, uniforms or other such items purchased by the Booster Group must be considered donated to the High School for District inventory.

Section 10: If an existing individual Booster Group or part of the existing individual Booster Group wishes to split off from the existing individual Booster group, then a quorum of members of the individual Booster group/side that wishes to separate would need a 2/3 vote by that individual Booster group/side to begin the application process. All funds would remain with the existing Booster Group, unless the existing Booster Group approves by a 2/3 vote to donate funds to the newly formed Booster Group. No more than two booster groups will be allowed for one sport/activity (e.g. Boys & Girls).

Article IX: Amendments and Addendums

Section 1: This Constitution, which provides the governing basis for all Booster Groups at Newbury Park High School, may be amended by the vote of all current High School Booster Groups. Proposed Amendments to this Constitution must be submitted in writing to the current President or Executive Board of the Umbrella Booster Club for open review and discussion at the very next Umbrella Booster Club meeting. A final draft of the proposed Amendment shall then be submitted to the vote of the full Group Membership of the Umbrella Booster Club with a 2/3 majority vote approval required.

Section 2: The By-Laws of the Booster Club and its individual Booster Groups shall also have provisions written to allow for Amendments. All such Amendments must be in writing and have had the opportunity of all current Active Members of the Booster Group to review and participate by vote in its approval. The specific procedures and approval process will be as written in each Booster Group's By-Laws.

Section 3: The Booster Club and its individual Booster Groups may wish to add Addendums instead of Amendments to their By-Laws for special Items or Procedures such as Scholarship selection or Annual Events or Fundraisers which require more detailed governing rules or regulations. The Process of approving such Addendums shall be the same as for Amendments and shall be identified in the By-Laws.

Section 4: Final amended Constitution and By-Laws must be adopted and certified by the current Executive Board and attested to by the current Secretary of the Booster Club or each Booster Group. The Booster Club Constitution and each individual Booster Group's By-Laws as amended must be submitted to and be filed on record at the High School and the School District.

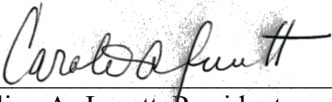
Article X: Dissolution

Dissolution of the Newbury Park High School Booster Club or any of its individual Booster Groups shall be by 2/3 vote of the current Active Membership of the individual Booster Group or as directed by the High School or School District. Dissolution methods and procedures shall follow the strict rules as established in all Federal and State governing regulations. All assets and funds shall be disbursed as directed by the High School, District or other governing agency.

Certification

We, the current Membership and Executive Board of the NEWBURY PARK HIGH SCHOOL BOOSTER CLUB, also known as the UMBRELLA BOOSTER CLUB, hereby certify and attest that this amended Constitution, as written herein, has, in accordance with Article XI of the original Constitution (now Article IX hereof), been submitted to, reviewed and approved by a 2/3 vote of the Group Membership of the Umbrella Booster Club as identified in Article III hereof at the regular meeting held on ~~May 23, 2005~~
September 11, 2018.


I, the current and duly elected President of NEWBURY PARK HIGH SCHOOL BOOSTER CLUB, hereby certify the above statement with my signature below.



Caroline A. Jewett, President

Date: 07 Oct 2018

I, the current and duly elected Secretary of the NEWBURY PARK HIGH SCHOOL BOOSTER CLUB, hereby attest to the Document and Certification above with my signature below.



Daryl Miller, Secretary

Date: 08 Oct. 2018

- End -