

Bylaws of Folsom High School Athletic Boosters

Covering July 1, 2019 to June 30, 2020

MISSION STATEMENT:

Folsom High School Athletic Boosters (FHSAB) represents all sports teams in such a manner as to create and foster synergy among all teams with the goal of providing an exceptional athletics program. This goal will be achieved through the collective efforts of the Folsom High School Athletic Director, Folsom High School Athletic Boosters Executive Board, Sports Team Representatives, Folsom High School Coaching Staff, School Administration, and the Community.

ARTICLE I - RECITALS AND DEFINITIONS

Section 1. **Name of Association.** The name of this association is the Folsom High School Athletic Boosters or known as FHSAB. The principal office of the association is in the City of Folsom, California.

Section 2. **Non-Profit Association.** This association is organized exclusively for the charitable, scientific, literary, or educational purposes within the meaning of Section 501 (c) (3) of the Federal Internal Revenue Code.

Section 3. **Purpose.** The primary objectives and purposes of this association are:

- To promote the welfare of children and youth in the home, school, and community serving as a sports advocate for our students.
- To bring into closer relation the home and the school that parents and coaches may cooperate intelligently in the education of children and youth.
- To develop between educators and the general public such united efforts as will secure for all children and youth the highest advantages in physical, mental, and social education.
- To sponsor functions and activities that raise monies to support the Folsom High School athletic programs.
- To provide opportunities that all athletic teams have an equal opportunity to fundraise.

ARTICLE II - BASIC POLICIES

The following are basic policies of this association:

- The association shall be noncommercial, nonsectarian and nonpartisan.
- The name of the association, or the names of any member in his/her official capacities, shall not be used to endorse or promote a commercial concern or in connection with any partisan interests or for any purpose not appropriately related to the promotion of the goals of the organization.
- The association shall not participate or intervene in any political campaign on behalf of, or in opposition to, any candidate for public office.
- The association shall work with Folsom High School to provide a quality athletic program for all participants.
- The association shall not enter into membership with other organizations, except with the approval of the Board, but may cooperate with other organizations and agencies concerned with

athletic programs; but, a representative of this association shall make no commitments that bind the Folsom High School Athletic Boosters to another organization.

- No part of the association's net earnings shall inure to the benefit of, or be distributed to its members, directors, trustees, officers, or other private persons, except that the association shall be authorized to make payments and distributions in furtherance of the purposes set forth in Article II hereof.
- All fundraisers that teams are intending to do, must follow Folsom High School guidelines and be reviewed by the FHS Athletic Director. The FHS Boosters Association requests that all fundraisers be presented and recorded in our meeting minutes.
- Notwithstanding any other provisions of these articles, the association shall not engage in any other activities except for the following:
 - By an association exempt from Federal Income Tax under Section 501(c) (3) of the Internal Revenue Code; or
 - By an organization, contributions to which are deductible under Section 1.0(c)(2) of the Internal Revenue Code.
- Under the dissolution of this association, after paying or adequately providing for the debts and obligations of the association, the remaining assets shall be distributed to the Folsom High School Associated Student Body account.

ARTICLE III - MEMBERSHIP

Section 1. **Class of Membership and Rights.** Membership in this association shall be made available to any individual, organization, or family who subscribes to the goals and policies of this association, without regard to race, color, creed or national origin, under such rules and regulations not in conflict with the provisions of these Bylaws. All members are to adhere to the CIF "Pursuing Victory with Honor" character development program. Role modeling the "Six Pillars of Character: Trustworthiness, Respect, Responsibility, Fairness, Caring and Citizenship." There shall be one (1) class of members and the rights of each member shall be equal.

Section 2. **Dues.** All members of the association shall be obligated to pay annual dues of an amount determined by the Executive Board. Currently, the annual Booster dues per student are \$10 per year. The amount does not change if a student plays multiple sports.

Section 3. **Members of the Association.** The members of the association shall include and be limited to individuals or organizations that have paid dues for the current school year.

Section 4. **Term of Membership.** Each member shall remain a member until he or she no longer qualifies as such under Section 1 or 3 above.

ARTICLE IV -ASSOCIATION MEETINGS

Section 1. **Place.** Meetings of the members shall be held at the Folsom High School campus or such other place as designated by the Executive Board.

Section 2. **General Meetings.** General meetings of the association may be held each quarter unless otherwise ordered by the Executive Board. The general meeting held in May shall be reserved for the election of the representatives to the Executive Board. There shall be no proxy voting.

Section 3. **Special Meetings and Meeting Changes.** The board, upon notice sent to members via e-mail at least five (5) days prior to a meeting date, may call special meetings. Notices of change in time or day of any meeting must be made at least five (5) days before the meeting date.

Section 4. **Quorum.** Simple majority of the individual sports reps and executive board members shall constitute a quorum for the transaction of business in any meetings of this association.

Section 5. **Voting.** The privilege of making motions, debating and voting shall be limited to members of the association. Voting shall be done by voice or ballot vote. Each member of the association shall have one vote. Passage of a motion requires a simple majority of present members in good standing.

Section 6. **Membership Rights.** Subject to these Bylaws the members shall have the following rights: To vote annually for the representatives and the annual budget and to vote for any issues brought up at special meetings.

ARTICLE V - EXECUTIVE BOARD

Section 1. **Number and Qualification of Board members.** The Executive Board shall consist of a representative from each sanctioned sport/club at Folsom High School that has been approved by the Executive Board. Each board member shall have one vote. For the upcoming school year the following sports teams shall have representation on the board:

- Football
- Men's Basketball
- Women's Basketball
- Men's Soccer
- Women's Soccer
- Baseball
- Softball
- Swim/Dive
- Cheer/Tumble
- Men's Volleyball
- Women's Volleyball
- Track/Field
- Cross Country
- Men's Golf
- Women's Golf
- Men's and Women's Tennis
- Men's and Women's Wrestling

Each board member may appoint one alternate. The Executive Board is comprised of, but not limited to the following officers: President, Vice President, Secretary, Treasurer, Financial Secretary, the Athletic Director, and a Representative from each sport.

Section 2. **Executive Board Meetings.** Executive Board meetings shall be held once a month and may be held one hour prior to the regular General Meeting for the purpose of conducting ongoing business. The Executive Board shall designate the time and place for such meetings. Each sport alternate may attend

board meetings but are not allowed to vote unless their respective team representative is not in attendance (at the meeting). Then the alternate may vote.

Section 3. **Quorum.** A simple majority of the Executive Board will a quorum for the transaction of business in any meeting of the Executive Board. The board is defined as the executive leadership (President, Vice President, Treasurer, Financial Secretary, and Secretary) plus the individual team sports representatives. In the event that a board member is both a sports rep and holding an executive leadership, they will be limited to one vote. For example, if there are a total of 24 positions then a quorum would be defined as 13 people present to conduct votes.

Section 4. **Term of Office.** The election of the representatives which will make up the Executive Board shall be conducted at the May meeting at which time all members of the Executive Board shall be a mutually agreed upon choice between coach and current representative. Any board member shall hold office until the expiration of the term. No member shall be eligible for the same office for more than two (2) consecutive terms. All representatives could be subject to review and approval by their respective coaches during their term. Suggested terms of office shall be 3 years for the President, Vice President, Treasurer, Financial Secretary, and Secretary.

Section 5. **Nominations.** If the need arises, a nominating committee that shall be selected by the association at least two months prior to the annual election meeting shall collect nominations for the representative for each sport. The committee shall serve until the annual election meeting.

- The nominating committee shall be composed of three (3) members of the association and the committee shall select its own chairperson. The report of the nominating committee shall be submitted to the Executive Board at least thirty (30) days prior to the annual election meeting. At the annual election meeting, additional nominations may be made from the floor.
- Only those persons who are eligible and who have signified their consent to serve, if elected, shall be nominated for, or elected to, office.

Section 6. **Elections.** Election shall be held by voice vote at the annual election meeting in the month of May.

Section 7. **Vacancies.** If an office remains unfulfilled after the election, it shall be considered a vacant office to be filled by the board-elect. A person elected by the board shall fill a vacancy occurring in any office for the remaining term. Election to fill a vacancy shall require a majority vote of the board.

Section 8. **Compensation.** Directors, Officers, and Members of committees shall not be entitled to monetary compensation for their services; but they may be reimbursed for actual expenses as determined by the approval of the Executive Board to be just and reasonable. An invoice or voucher acceptable to the Executive Board shall support expenses.

ARTICLE VI • OFFICERS OF THE EXECUTIVE BOARD

Section 1. **Officers.** The officers of the association shall be selected from the Executive Board elected in Section 6 above and shall consist of a President, Vice President, Secretary, Financial Secretary, Treasurer, and Events Coordinator. The Executive Board will hold an election among themselves to select the officers. Alternates may be selected to be an officer on the board. If the elected representatives or their respective

alternates do not meet the described job duties or do not want to be an officer, the board may appoint another Folsom High School athletic booster member in good standing to fill an officer's position. This election will take place at the first regular meeting of the Executive Board.

Section 2. **President.** The President shall direct the affairs of the association with other elected officers by presiding at all regular and general meetings of the association; and coordinate the work of the officers and any committees of the association in order that the goals of the association may be promoted.

- Member may be an ex officio of all committees.
- Appoint the chairperson and members of committees, subject to the ratification of the board.
- Review all revenue and expense transactions, along with the Financial Secretary.
- Perform such other duties as may be required or assigned by the association.
- Have all newsletters, flyers, and/or notices reviewed by the board prior to distribution.
- Have all contracts and/or legally binding documents approved by the Folsom High School Athletics Booster Board prior to any two (2) officer's signing the contract.
- Shall be an authorized signer on all accounts, all checks require two signatures.

Section 3. **Vice President.** The Vice President shall preside at meetings in the absence of the President; shall act as an aide to the President; shall be familiar with the Bylaws of the association and shall assume the duties of the President if the position is vacated.

- Shall be an authorized signer on the general account, all checks require two signatures.
- Shall ensure that meeting notices and meeting minutes are published within the appropriate timeframe as defined by these Bylaws.
- Shall serve as the lead person for all matters dealing with revenue for the Folsom High School Athletic Boosters. This includes, but not limited to, the management of membership drive initiatives, corporate donations, event-driven fundraisers and the annual fireworks booth coordination in conjunction with the Folsom Athletic Association.

Section 4. **Secretary.** The secretary shall:

- Keep an accurate record of the proceedings of all meetings of the association and the board in a bound book, which is the legal record of the association and is prepared to refer to minutes of previous meetings.
- Keep a current copy of the Bylaws and Standing Rules.
- Perform such duties as may be delegated to the Secretary.
- Record all general fund expenditures in the Minutes.
- Annually ensure all members of the board will sign "The Conflict of Interest" form.
- Ensure that the Folsom Athletics Website contains the necessary minutes and Bylaws for the current year.

Section 5. **Financial Secretary.** The Financial Secretary shall keep an accurate record of the receipts and disbursements in a ledger, which is a permanent record of the association. All financial records must be retained for seven (7) years, including the current year. By vote of the Executive Board, the responsibilities of the Financial Secretary may be outsourced to an accredited CPA firm.

- Present a statement of accounts at every meeting of the association and at other times, when requested by the association.
- Provide all information that may be required for tax, insurance, and audit purposes.
- Make an annual report for the association, which includes gross receipts and disbursements.
- Shall act as an internal auditor for all athletic programs to inspect and assist in correcting any financial issue that may arise from such inspections. These inspections/audits are to ensure the entire Booster organization adheres to our Bylaws, each respective annual budget and the overall financial integrity of this association.

Section 6. **Treasurer.** The treasurer shall keep such permanent books of general funds account and records as shall be sufficient to establish the items of gross income, receipts, and disbursements of the association:

- Receive all monies for the general association, giving a receipt therefor, and deposit them in the name of the association in the bank voted on by the board.
- Receipt and retain a copy of the deposit slip for any deposit made.
- Pay all bills as authorized by the board.
- Shall be an authorized signer on all accounts, all checks require two signatures.

Section 7. **Team Representative.** The Team Representative shall present a statement of accounts when requested by the association. They will keep an annual team budget in their binder. They will work with their coach(es) to create a team budget, which will be submitted to the Board prior to the start of the season. Team representatives shall not be related to any paid coach(es) of that Team Representative's athletic program. They shall:

- Be an authorized signer on their respective sport's account, all checks require two signatures.
- Be responsible for maintaining current accounting financials, including all expenses and revenues, using QuickBooks accounting software or a pre-approved Excel Tracking Document
- Make an annual report for the association, which includes gross receipts and disbursements.

Section 8. **Athletic Director.**

- Shall act as a liaison between the Folsom High School Athletic Board and Folsom High School.
- Shall receive and review all final team budgets from the Executive Board. May be used as a consultant while establishing and creating team program budgets.
- Shall respond to all requests set forth by the Board in a timely manner.

Section 9. When an Executive Board member fails to attend a minimum of 73% of the meetings and/or two (2) consecutive meetings without adequate excuse or notification to an Associated Officer or when a member is not fulfilling the responsibilities of the office as prescribed by the Bylaws, or the standing rules; or engages in conduct which the board determines to be injurious to the association or its purposes, the board, by a two-thirds (2/3) vote, may take such action as it determines appropriate, which may include asking for the resignation of the Executive Board member and/or making a formal recommendation that the Executive Board member be removed from office. An alternate may be used to attend a meeting in place of an Executive Board member if needed (see ARTICLE V, Sections 1 and 2 for additional conditions for Alternate). Excessive abuse of any Executive Board member using an Alternate (i.e. - unreasonable number of absences, etc.) may result in removal from office.

Section 10. All officers shall perform the duties prescribed in the current edition of Robert's Rules of Order Newly Revised, in addition to those outlined in these Bylaws, and those assigned from time to time. These rules of order shall include:

- Be on time, present, and actively engaged
- Have an open mind and commit to the group decision
- Remain positive and assume good will
- All information is confidential
- All votes must include a primary and secondary motion to out forward to vote, and then followed by a group vote either in favor nor not in favor of such vote.

Upon expiration of the term of office in the case of resignation or termination, each officer shall turn over to the President or designee, without delay, all records, books and other material pertaining to the office, and shall return to the Treasurer, without delay, all funds belonging to the association.

ARTICLE VII -ANNUAL BUDGET AND OPERATING FUNDS

Section 1. **Budget.** The Executive Board shall prepare and approve an annual budget and make the budget available to the general membership.

Section 2. **Operating Account.** All Booster specific fundraising and donations (not individual sports fundraising events) shall be deposited into an account to be known as the "Operating Account" and other accounts as approved by the association and deemed appropriate. Disbursements from this account shall be for operating expenses of the Folsom High Athletic Booster Organization and are not intended for individual sports programs. The Executive Board will vote to disburse/transfer these funds to other accounts as needed.

There are currently three (3) separate accounts that make up the sum of the Operating Account. These three accounts shall be held as separate accounts within one or more financial institutions as directed by the Board. These accounts are to be used to fund various activities, programs, and other similar items and requires Board approval for any/all transactions from these accounts. Each account is focused on supporting various programs and include, but not limited to the following descriptions:

- **General Account:** This fund is considered the main account for the entire Booster organization. It was established to maintain expenses for general activities and for administrative requirements to efficiently operate the Booster program (tax preparation, permits, subscriptions, general administration expense, etc.). Other expenses from this account as directed and approved by the Board.
 - Revenue to fund the General Account comes from specific fundraising activities, donations, membership fees, and other supporting programs. For joint fundraising activities across several athletic programs and the Athletic Director, 15% of the total amount raised for any such program will go directly to the General Account.
- **Secondary Account:** This fund is to be used (in spirit) for awards, recognition programs, scholarships or other similar personal achievement activities. It may also help support other activities as approved by the Board.

- Revenue to fund the Secondary Account comes from specific fundraising activities, donations, membership fees, and other supporting programs. Additional revenue may come directly from the General Account as approved by the Board.
- **Ancillary Account:** This fund is to be used at the discretion of the Board in conjunction with the Folsom High School Athletic Director. Expenses from this account are to be used for items that typically benefit more than one athletic program or other similar programs that support a wider benefactor. All activity from this account requires Board approval.
 - Revenue to fund the Ancillary Account comes from joint fundraising activities across several athletic programs and the Athletic Director, and 15% of the total amount raised for any such program will go directly to the Ancillary Account. Additional revenue may come directly from the General Account as approved by the Board.
- **Individual Team Account.** Each sports team shall have an account with the FHS Athletic Boosters Board approved bank and the funds contained within are for individual teams and not to be utilized for Folsom High School Athletic Board. It is the responsibility of each program to raise its own funds to cover all operating expenses, except those approved by the Board. Two signatures required for each expense or reimbursement check. The signers shall be Vice President, President, or Treasurer.

ARTICLE VIII - COMMITTEES

Section 1. There shall be committees created by the board as may be required to carry on the work of the association.

Section 2. The Chairperson and members of the committees, all of whom shall be members of this association, shall be subject to the ratification of the Executive Board.

Section 3. The term of office for the Chairperson shall be determined by the Executive Board. Section 4. The Chairperson shall present plans of work to the board for approval. No work shall be undertaken without the consent of this board.

Section 4. All Chairpersons shall compile and file annual reports with the President.

Section 5. When a Chairperson fails to attend three (3) consecutive meetings without an adequate excuse, or when a Chairperson is not fulfilling the responsibilities of the office as prescribed the Bylaws or the Standing Rules, or engages in conduct which the board determines to be injurious to the association or its purposes, the board, by a two-thirds (2/3) vote, may take such action as it determines appropriate, which may include asking for the resignation of the Chairperson; and/or making a formal recommendation that the Chairperson be removed from office.

Section 6. Upon expiration of the term of office in the case of resignation or termination, each Chairperson shall turn over to the President or their designee, without delay, all records, books, and other materials pertaining to the office, and shall return to the Treasurer, without delay, all funds belonging to the association.

ARTICLE IX- ARTICLES OF ORGANIZATION

The "Articles of Organization" of this association comprise these Bylaws, as from time to time amended, and the "Articles of Association," if any, in the absence of separate Articles of Association, these Bylaws shall be deemed to be the Articles of the Association. In the event of any conflict between these Bylaws and the Articles of Association, these Bylaws shall govern.

Standing Rules for Meetings and Bylaws:

- At the beginning of his/her terms of office, each member of the board shall be given a copy of these Bylaws and shall be responsible for making a thorough study of them. A copy of these Bylaws shall be made available to any member of the association upon request and stored on the Folsom Athletic Website.
- At least seventy-two (72) hour notice in writing must be given to the President in order to have an item of business, or an announcement, placed on the Board or Association agenda.
- When a recommendation for an item of business, or an announcement, that has not had prior consideration by the board is brought to an association meeting, it can be referred to the board for study.
- Any non-association material to be distributed at an association meeting must be approved by the board prior to the meeting.
- Standing committees of the association may be convened as determined by the Executive Board.

NOTE: Standing Rules may be adopted by a majority vote at any association meeting. Amendments to Standing Rules require a two-thirds (2/3) vote without previous notice, a majority vote with notice. Standing Rules shall be procedural rather than parliamentary and may not conflict with the Bylaws.