

# **Buckeye Athletic Boosters By-Laws**

## **Article I: Name**

The name of this organization shall be the Buckeye Athletic Boosters. The organization will be a not-for-profit corporation under the laws of the State of Ohio. It will have a 501(c) (3) tax-exempt status from the Internal Revenue Code and is subject to those regulations.

## **Article II: Mission Statement**

The mission of this organization shall be:

- to unite the parents, students, faculty, alumni, and community in the common interest of supporting and encouraging participation in interscholastic sports programs, recognizing the integral role athletics play in the education and development of our students;
- to promote the mental, physical, emotional, and social benefits of interscholastic athletic competition at Buckeye Local Schools (referred to as BLS for the remainder of this document);
- to instill a sense of school pride and school spirit in all of our athletes and the community at large
- to provide financial support to BLS athletic programs; and
- to recognize and reward student athletes for participation in our athletic programs.

## **Article III: Membership**

Membership shall be open to all parents and athletic staff of BLS athletics.

- Membership shall run for the 12 month period beginning July 1st and ending June 30th of the following year.
- Active members shall have all privileges of membership as provided in the By-Laws of this organization.
- Each member in good standing shall be entitled to one vote at all General Membership meetings, provided they had attended one meeting within the previous 12 months. That is, you must attend one meeting within the previous 12 months to be allowed to vote.
- Visitors and first meeting members are welcome to all General Membership meetings, but may not exercise the right to vote.

## **Article IV: Organization/Officers**

There shall be a Board of Directors for this organization (referred to as the Board for the remainder of this document), all of whom must be members in good standing.

The Executive Board shall consist of seven Elected Officers. These officers shall consist of the following:

- 1) President;
- 2) Vice President;
- 3) Secretary;
- 4) Treasurer; and
- 5) Three at large members.

Officers will be nominated and elected by the General Membership.

The Buckeye Local Schools Athletic Director will serve as an advisor to the Board.

The term of service for the Board will be as follows. All positions are open at the end of their respective terms. Existing Officers may be re-elected to an additional term not surpassing the maximum laid out herein.

- 1) President; to be limited to a 3 yr. term starting and rolling as of 2016. Maximum allowable tenure to be 6 years.

A president may be elected into office in 2019 and may be re-elected in 2022 but will be termed out at the end of the second term.

A president may be elected in 2020 for the balance of the term and be re-elected in 2022 but will be termed out at the end of the second term.

Similar term limits will be included for the other officers.

- 2) Vice President; to be limited to a 3 yr. term starting and rolling as of 2017. Maximum allowable tenure to be 6 years.
- 3) Secretary; to be limited to a 3 yr. term starting and rolling as of 2018. Maximum allowable tenure to be 6 years.
- 4) Treasurer; to be limited to a 3 yr. term starting and rolling as of 2017. Maximum allowable tenure to be 6 years.
- 5) Member at Large; To be limited to a 3 yr. term starting and rolling as of 2016, 2017, & 2018 (one for each member). Maximum allowable tenure to be 9 years.

Any elected officer, once limited by their respective terms shall not be able to hold office for a minimum of 1 year after their maximum term. No elected officer may hold an officer's position of any variation for more than 9 years without taking one year off without holding an elected position.

#### **Article V: Meetings**

All general membership meetings shall be open to the public. All Board meetings are open to the membership.

- Meeting minutes and treasurer's report shall be available to all members.
- Board meetings will be held at on a monthly or bi-monthly basis, as determined by the Board.
- Special meetings of the general membership may be called at the discretion of the Board. At least a five day notice shall be given.
- At least 50% of the Board must be in attendance in order to have a voting quorum.
- Provided a quorum is reached, the transaction of business will take place by simple majority vote of members.
- In the event that a vote is tied, the President of the Board shall cast the deciding vote.
- All matters to be voted upon may be done by secret ballot at the request of any member, to be recorded by the Secretary.

#### **Article VI: Spending Guidelines**

The Fiscal Year shall be July 1st to June 30th of the following year. Budgets shall be established.

- Receipts for all spending/payments shall be required.
- All spending shall be limited to funds available.
- The Board shall establish short and long range plans for spending based upon the needs of the sports teams, in conjunction with the Athletic Director.

Spending guidelines shall be as follows:

- 1) Board of Directors - up to \$15,000 with a majority vote of the Board.
- 2) Treasurer - up to \$2,000 to pay for operating, or fundraising expenses
  - up to \$3,500 with approval by the President or Executive Board to pay for operating, fundraising, or BLS athletic program expenses.
- 3) All other spending must have approval of the general membership by a 2/3 majority vote of the members.
  - No part of net earnings of the organization shall inure to the benefit of, or be distributable to, its members or officers. The organization shall be authorized and empowered to make payments and distributions in furtherance of the purposes set forth in our mission statement.
  - The treasurer shall deposit all funds of the organization in a bank or banks, or other depository of investment vehicle deemed adequate to meet the needs of the organization.
  - All bills shall be paid only by checks signed by at least either the President or the Treasurer of the organization, with amounts greater than \$3,500 subject to the approval of the majority of Board or general membership.

- A thorough review of all the organization's financial transactions by a certified public accountant, or other qualified person, shall be made once each year.

### **Article VII: Acquisitions**

The organization may receive and accept donations by way of a gift, bequest, or devise from any person, firm, trust or corporation, to be held, administered, and disposed of in accordance with the provisions of these articles of the organization, but no gift, bequest or devise shall be received and accepted if it is conditioned or limited in such a manner that it would jeopardize the purposes of the organization and the federal income tax exemption pursuant to section 501(c)(3) of the Internal Revenue Code, or corresponding section of any future federal tax code.

### **Article VIII: Duties of Officers**

The Board is responsible for the operation and management of the organization. The duties of the Officers are described as such:

1) The President shall:

- Be the official representative of the Buckeye Athletic Boosters.
- Preside at all regular, special, and Board meetings.
- Be an ex-officio member of all committees.
- Appoint special committees.
- Appoint a nominating committee of three (3) members, to consist of one (1) Board member and (2) individuals from the general membership no later than the first meeting in March. The committee shall report it's nominations at the April meeting with elections to take place during the May meeting. Nominations can also be accepted from the floor at the April meeting; and keep members informed of all matters pertaining to the affairs of the organization.

2) 2. The Vice President shall:

- Preside over meetings in the absence of the President, and perform all duties as such.

3) 3. The Secretary shall:

- Write and keep minutes of all regular, special and Board meetings.
- Present and/or make available all such minutes at the regular monthly meetings.
- Have full charge of all correspondence of the organization and of filings correspondence for future reference.
- Keep a roster of all active members.
- Issue notification of all upcoming regular, special, and Board meetings.

4) 4. The Treasurer shall:

- Be the custodian of all funds of the organization.
- Supervise and accurately record all receipts and disbursements of funds.
- Report to the membership on all receipts, disbursements, and financial statements of the organization at each regular meeting.
- Be responsible for coordinating preparation of state and federal filing forms.
- Be responsible for coordinating all information for tax purposes.
- Prepare annual budgets with the advice and assistance from elected officials.

Any Board Member may, by written instrument, signed and acknowledged by the Executive Board, resign his/her office. The Board Members shall serve in their positions without compensation, except for reimbursement of expenses incurred on behalf of the organization.

**Article IX: Removal of Board Members:**

Upon reasonable written notice, any Board member may be removed from office for cause by a two thirds or greater majority vote of the Board, subject to approval by a majority of the membership attending its next regularly scheduled meeting. Any such accused Board member shall not vote on the issue of his/her removal from office, although he/she shall be afforded an opportunity to be heard concerning the issue, both before the Board and the membership, and to be confronted by his/her accuser with evidence of wrongdoing.

**Article X: Liability of Directors, Officers, and Members**

- 1) No Board member shall be required to furnish bond or surety, or shall be liable or responsible for acts of omission or errors of the Board, or of any predecessors or counsel selected with reasonable care.
- 2) 2. No Board member shall be personally liable to the organization or its members for monetary damages for breach of fiduciary duty as an officer or director, notwithstanding any provision of law imposing such liability: provided, however, that this provision shall not eliminate the liability of Board member, to the extent that such liability is imposed by applicable law, (i) for any breach of the Board member's duty of loyalty to the organization or its members (ii) for acts or omissions not in good faith or which involve intentional misconduct or a knowing violation of law, or (iii) for any transaction from which the Board member derived an improper personal benefit. No amendment to or repeal of this provision shall apply to or have any effect on the liability or alleged liability of any Board member for or with respect to any acts or omissions of such Board member occurring prior to such amendment or repeal.
- 3) 3. Neither the Board, nor any member, shall have power to bind the members or the individual Board members or Officers of the organization, personally. All persons or corporations extending credit to, contracting with, or having claims against the organization, shall look only to the funds and property of the organization for the payment of any debt, damage, judgment, or decree, or of any money that may

otherwise become due and payable to them from the organization, so that neither the members nor the Board, present or future, shall be personally liable therefore.

- 4) 4. No Board member, or member, shall be personally liable to the organization or its members or guests in any maintenance or recreational activity. These activities consist of maintaining the landscaped common land areas; block parties; softball games; neighborhood yard sales; fundraising events; or the like. Board members, and members, make no claims as to the expertise of any of the members or their family members in such matters. Therefore, the organization bears no liability for any incident, accident or injury that may occur during or as the result of maintenance, recreational, or fundraising activity sponsored by or organized by the organization.

**Article XI: Dissolution of the Organization**

In the event that the Buckeye Athletic Boosters should dissolve, all existing monies, after the payment of all outstanding bills, shall be distributed for one or more exempt purposes with the meaning of section 501(c)(3) of the Internal Revenue Code, or corresponding section of any future federal tax code.

These are the by-laws of the Buckeye Athletic Boosters, as put forth herein, were ratified and accepted by the Board of Directors on the \_\_\_\_\_ day of \_\_\_\_\_, 20\_\_\_\_.

\_\_\_\_\_  
President

\_\_\_\_\_  
Secretary

This document is a complete and accurate copy of the By-laws of the Buckeye Athletic Boosters.

\_\_\_\_\_  
President

\_\_\_\_\_  
Secretary

*The Buckeye Athletic Boosters do not discriminate on the basis of race, color, religion, national origin, sex, sexual orientation, age, or disability.*