

Model of Booster Club Bylaws



WE ARE YOUR SCHOOLS

MODEL OF BOOSTER CLUB BYLAWS

INDEX

2016-2017

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Name of Organization

Federal Identification Number

Date Organized

State Tax Exempt Number

FWCS School(s) Supported _____

Bylaws/amendments adopted by membership _____ (date)

Bylaws approved by FWCS _____ (date)

MODEL OF BOOSTER CLUB BYLAWS

2016-2017

Article I: Name

The name of this organization is the _____, located at (city)
_____ (state) _____.

Article II: Purposes

Section 1. The purposes of the _____, (name) are as follows:

(EXAMPLES)

- a. To promote the welfare of children and youth in school and community.
- b. To bring into closer relation the home and the school, that parents and teachers may cooperate intelligently in the education of children and youth.
- c. To support school programs financially through fundraising activities.
- d. To promote school spirit, school pride, and community goodwill.
- e. 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.
- f. To award college scholarships to participating students showing exceptional skill and leadership qualities.

Section 2. The organization is organized exclusively for the charitable, scientific, literary, or educational purposes within the meaning of Section 501(c)(3) of the Internal Revenue Code or corresponding section of any future Federal tax code (hereinafter "Internal Revenue Code").

Article III: Basic Policies

The following are basic policies of the _____ (name)

- a. The organization shall be noncommercial, nonsectarian, and nonpartisan.
- b. The organization shall work with the schools to provide quality education for all children and youth and shall seek to participate in the decision-making process establishing school policy, recognizing that the legal responsibility to make decisions has been delegated by the people to the boards of education, state education authorities, and local education authorities.
- c. The organization shall work to promote the health and welfare of children and youth and shall seek to promote collaboration between parents, schools, and the community at large.
- d. No part of the net earnings of the organization shall inure to the benefit of, or be distributable to its members, directors, trustees, officers, or other private persons except that the organization shall be authorized and empowered to pay reasonable compensation for services rendered and to make payments and distributions in furtherance of the purposes set forth in Article II hereof.
- e. Notwithstanding any other provision of these articles, the organization shall not carry on any other activities not permitted to be carried on (i) by an organization exempt from Federal income tax under Section 501(c)(3) of the Internal Revenue Code, or (ii) by an organization, contributions to which are deductible under Section 170(c)(2) of the Internal Revenue Code.
- f. Upon the dissolution of the organization, after paying or adequately providing for the debts and obligations of the organization, the remaining assets shall be distributed to the FWCS school(s) supported by the organization which have established their tax-exempt status under Section 501(c)(3) of the Internal Revenue Code.
- g. The organization or members in their official capacities shall not, directly or indirectly, participate or intervene (in any way, including the publishing or distributing of statements) in any political campaign on behalf of, or in opposition to, any candidate for public office; or devote more than an insubstantial part of its activities to attempting to influence legislation by propaganda or otherwise.

Article IV: Relationship with FWCS

Section 1. This Booster Club shall be organized under the direct authority of FWCS.

A Booster Club in good standing is one which:

- a. Adheres to the purposes and basic policies of FWCS.
- b. Has bylaws approved every three years.
- c. Has prior year audited annual financial report submitted to FWCS by September 1st.
- d. Has new officers list and renewal application submitted to FWCS by September 1st.
- e. Has current year 990/990EZ or 990-N (E-postcard) filed and submits a copy to FWCS by September 1st.
- f. Has current year Indiana Nonprofit Organization Annual Report (Form NP-20) filed and submits a copy to FWCS by September 1st.
- g. Has current biennial Business Entity Report filed with the Indiana Secretary of State.
- h. Meets other criteria as may be prescribed by FWCS.

Section 2. This Booster Club shall adopt such bylaws for the government of the organization as may be approved by FWCS. Such bylaws shall not be in conflict with FWCS policies.

Section 3. Bylaws of this Booster Club shall include an article on amendments.

Section 4. Bylaws of this Booster Club shall include a provision establishing a quorum.

Section 5. Each officer or board member of this Booster Club shall be a member of this Booster Club.

Section 6. The bylaws of this Booster Club shall prohibit voting by proxy.

Section 7. A Booster Club member shall not serve as a voting member of this Booster Club board while serving as a paid employee of, or under contract to this Booster Club.

Section 8. (Optional) Only members of this Booster Club who have paid dues for the current membership year may participate in the business of this Booster Club.

Section 9. This Booster Club may cooperate with other organizations and agencies concerned with child welfare, but a Booster Club representative shall make no commitments that bind the group he/she represents.

Section 10. The members of the nominating committee for officers of this Booster Club shall be elected by the general membership, executive board, or executive committee.

Section 11. This Booster Club shall keep such permanent books of account and records as shall be sufficient to establish the items of gross income, receipts and disbursements of the organization, including, specifically, the number of its members and the dues collected from its

members. Such books of account and records shall at all reasonable times, not less than annually, be open to inspection by an authorized representative of FWCS.

Section 12. The Booster Club shall be subject to withdrawal and the status of such organization as a Booster Club shall be subject to termination, in the manner and under the circumstances provided by the FWCS Parent Organization Handbook.

Section 13. This Booster Club is obligated, upon withdrawal of its legal entity:

- a. Upon a formative vote to dissolve a Booster Club, the unit shall yield up and surrender immediately all of its funds, books, records, property and assets to FWCS.
- b. To cease and desist from the further use of any name that implies or connotes association with FWCS.
- c. To carry out promptly, under the supervision and direction of FWCS, all proceedings necessary or desirable for the purpose of dissolving the _____ (name).

Article V: Membership and Dues

Section 1. Every individual who is a member of _____ (name) is entitled to all the benefits of such membership.

Section 2. Membership in this _____(name) shall be open, without discrimination, to anyone who believes in and supports the mission and purposes of _____(name).

Section 3. This organization shall conduct an annual enrollment of members but may admit individuals to membership at any time.

Section 4. Those enrolled after March 15 shall be considered members for the following school year.

Section 5. The membership shall be valid through the month of September of the ensuing school year.

Section 6. (Optional) Each member of this organization shall pay such annual dues to said organization as determined by the organization.

Section 7. (Optional) The amount of each member's dues shall be \$_____.

Article VI: Officers and Their Election

Section 1. The officers of this organization shall consist of a president, vice-president, secretary, and a treasurer.

Section 2. Officers shall be elected by ballot in the month of _____.

Section 3. The vote shall be conducted by ballot. When there is but one candidate for an office, the ballot for that office may be dispensed with and election held by voice vote. A majority vote shall be required for election.

Section 4. The following provisions shall govern the qualifications and eligibility of individuals to be officers of the _____(name):

- a. Each officer shall be a member of this Booster Club.
- b. No officer may be eligible to serve more than two consecutive terms in the same office.
- c. A person who has served in an office for more than one half of a full term shall be deemed to have served a full term in such office.
- d. (Optional) Only those persons whose current dues are paid shall be considered eligible for office. (Current dues are paid before November 15th of any school year).
- e. Only those persons who have signified their consent to serve if elected shall be nominated for or elected to such office.

Section 5. Officers, with the exception of the treasurer, shall assume their duties at the end of the school year and shall serve for a term of one year or until their successors are elected. The treasurer shall assume his duties following the completion of the annual audit.

Section 6. A vacancy occurring in the office of president shall be filled for the remainder of the unexpired term by the vice-president. A vacancy in any office other than president shall be filled for the unexpired term by an individual elected by a majority vote of the executive board, notice of such election having been given.

Section 7. There shall be a nominating committee composed of three members, one of whom shall be elected by the executive committee from its body, and two of whom shall be elected by the general membership at a regular meeting at least one month prior to the election of officers. The president shall appoint one of the three to serve as chairman of the committee.

Section 8. The nominating committee shall nominate an eligible person for each office to be filled and report its nominees at the regular meeting in _____ (month), at which time additional nominations may be made from the floor.

Article VII: Duties of Officers

Section 1. The President shall:

- a. Preside at all meetings of the association and of the executive board.
- b. Perform such other duties as may be prescribed in these bylaws or assigned by the association or by the executive board.
- c. Be a member ex officio of all committees except the nominating committee.
- d. Coordinate the work of the officers and committees of the association in order that the purposes may be promoted.
- e. **Audit treasurer report and bank statement monthly.**

Section 2. The Vice-President shall:

- a. Act as aide to the president.
- b. Perform the duties of the president in the absence or inability of that officer to act.

Section 3. The Secretary shall:

- a. Record the minutes of all meetings of the association and of the executive board.
- b. Have a current copy of the bylaws.
- c. Maintain a membership list.
- d. Perform other delegated duties as assigned.

Section 4. **The Treasurer shall:**

- a. Have custody of all the funds of the association.
- b. Keep a full and accurate account of receipts and expenditures.
- c. Make disbursements as authorized by the president, executive committee, or association in accordance with the budget adopted by the association.
- d. Have checks signed by two people, the treasurer and the FWCS employee sponsor of the organization. (Persons authorized to sign checks shall not be related. Defined: same family through a child or spouse.)
- e. Present a financial statement at every meeting of the association and at other times when requested by the executive board and make a full report at the annual meeting.
- f. Be responsible for the maintenance of such books of account and records as conform to the requirements of Article IV, Section 11, of these bylaws.
- g. Have the accounts examined annually at the close of the fiscal year or upon change of officer by a CPA or an auditing committee of not fewer than three members, who, satisfied that the treasurer's annual report is correct, shall sign a statement of that fact at the end of the report.
- h. Provide organization documents required by FWCS for review and audit purposes.
- i. Submit Federal Tax Form 990 to the IRS, Indiana Nonprofit Organization Annual Report (NP-20) to the Indiana Department of Revenue, and Indiana State Biennial Business Entity Report to the Secretary of State.

Section 5. All officers shall perform the duties outlined in these bylaws and those assigned from time to time. Upon the expiration of the term of office or in case of resignation, each officer shall turn over to the president, without delay, all records, books, and other materials pertaining to the office, and shall return to the treasurer, without delay, all funds pertaining to the office.

Article VIII: Auditing Committee

Section 1. The auditing committee shall be selected by the executive committee at least two weeks before the annual meeting. An auditing committee of not fewer than three members may include officers and non-officer members; however, the committee should have at least one or two non-officer members audit the information. An outside party, such as a CPA, may be used to audit the financial information instead of using a committee within the organization. A copy of the CPA or committee's report shall be sent to FWCS.

Section 2. Auditing committee members shall not be related to each other or to anyone with check signing privileges. The sponsor and officers authorized to sign checks are ineligible to serve on the auditing committee. (Related is defined as same family through a child or spouse.)

Article IX: Executive Board

Section 1. The Executive Board shall consist of the officers of the association, the chairmen of standing committees, a teacher representative, and the principal of the school or a representative appointed by him/her. The chairman of the standing committees shall be selected by the officers of the association. The members of the Executive Board with the exception of the treasurer shall serve until the election/selection of their successors. (See Article VI, Section 5 for Term of the Treasurer.)

Section 2. Each member shall be a member of this _____(name).

Section 3. The duties of the Executive Board shall be:

- a. To transact necessary business in the intervals between association meetings and such other business as may be referred to it by the association.
- b. To create standing and special committees.
- c. To approve the plans of work of the standing committees.
- d. To present a report at the regular meetings of the association.
- e. To appoint a CPA or an auditing committee at least two weeks before the annual meeting to audit the treasurer's accounts.
- f. To prepare and submit to the association for adoption a budget for the year.
- g. To approve routine bills within the limits of the budget.

Section 4. Regular meetings of the Executive Board shall be held during the year, the time to be fixed by the committee at its first meeting of the year. _____ (number) members of the Executive Board shall constitute a quorum. Special meetings of the Executive Board may be called by the president or by a majority of the members of the board, _____ (number) days' notice being given.

Section 5. If any member of the board shall at any time cease to meet the qualifications or fulfill the duties of the position, that person may be removed from the board by a majority vote of the Executive Board.

Article X: Executive Committee

Section 1. There shall be an executive committee of the _____ (name), the members shall consist of no less than the elected officers and one FWCS employee sponsor.

Section 2. Each executive committee member shall be a member of this _____ (name).

Section 3. Special meetings of the executive committee may be called by the president or a majority of the executive committee with _____ days' notice given to each member of the committee.

Section 4. A majority of the executive committee shall constitute a quorum for the transaction of business.

Section 5. The committee shall meet as soon as the officers have been duly elected, for the purpose of formulating tentative plans for their term of office, and selecting chairmen of standing committees.

Article XI: General Membership Meetings

Section 1. At least _____ (number) regular meetings of this association shall be held during the school year. Dates of meetings shall be determined by the Executive Board and announced at the first regular meeting of the year, _____ (number) days' notice shall be given of a change of date.

Section 2. Special meetings of the association may be called by the president or by a majority of the Executive Board, _____ (number) days' notice having been given.

Section 3. The annual meeting shall be in _____ (month).

Section 4. _____ (number) members shall constitute a quorum for the transaction of business in any meeting of this association.

Section 5. The privilege of holding office, introducing motions, debating, and voting shall be limited to members of _____ (name) whose dues, if required, for the current membership year are paid.

Article XII: Standing and Special Committees

Section 1. (Optional) Only members of this association who have paid dues for the current membership year shall be eligible to serve in any elective or appointive positions.

Section 2. The executive board may create such standing committees, as it may deem necessary to promote the Purposes and carry on the work of the association. The term of each chairman shall be one year or until the selection of a successor.

Section 3. The chairman of each standing committee shall present a plan of work to the executive board for approval. No committee work shall be undertaken without the consent of the executive board.

Section 4. The power to form special committees and appoint their members rests with the association and/or the executive board.

Section 5. The president shall be a member ex officio of all committees except the nominating committee.

Article XIII: Fiscal Year

The fiscal year of the _____(name) shall begin on July 1 and end on the following June 30.

Article XIV: Parliamentary Authority

The rules contained in the current edition of *Robert's Rules of Order Newly Revised* shall govern the _____(name) in all cases in which they are applicable and in which they are not in conflict with these bylaws or the articles of incorporation.

Article XV: Amendments

Section 1. These bylaws may be amended at any regular meeting of the association, provided:

1. That notice of the proposed amendment was given at least 30 days prior to the meeting at which time the amendment was voted upon;
2. That a quorum had been established; and
3. That the amendment will then be subject to approval by FWCS upon the completion of the two previous provisions.

Bylaw amendments require a two-thirds vote of the members present and voting.

Section 2. A committee may be appointed to submit a revised set of bylaws as a substitute for the existing bylaws by a majority vote at a meeting of the association, or by a two-thirds vote of the executive board. The requirements for adoption of a revised set of bylaws shall be the same as in the case of an amendment.

Section 3. This _____, having adopted amendments or a revision to its bylaws, shall submit to FWCS one copy of such amendments or revision.

Section 4. Any amendment or revision shall become effective upon the approval of FWCS.