

# Constitution and Bylaws of the Sun Valley Athletic Booster Club

Adopted December 9, 2014

## ARTICLE 1 NAME, PURPOSE, AND PRICIPAL OFFICE

**Section 1.01 Name.** The name of the organization shall be the Sun Valley Athletic Club hereafter known as “SVABC” or the “organization.”

**Section 1.02 Purpose.** The purpose and function of the organization shall be:

- A. Support all athletic programs in the Sun Valley Cluster, and promote excellence, pride and good sportsmanship amongst the student body, school staff, coaches, and community;
- B. Encourage parent, guardian and community involvement; and
- C. Promote the interest of the total athletic program in the Sun Valley Cluster by providing support through physical and financial assistance to the Sun Valley Athletic Department (the “Athletic Department”). The Athletic Department consists of student athletes, coaches, and the Sun Valley Administration.

**Section 1.03 Non-Profit Status.** SVABC is a non-profit, non-stock membership corporation. No part of the net earnings of the organizations shall be distributable to or inure to the benefit of its Executive Officers, Executive Board or any private person, except that the organization shall be authorized to pay reasonable compensation for services rendered and to make payments and distributions in furtherance of its exempt purposes. No propaganda, or otherwise attempting to influence legislation (except to the extent permitted by Section 501(h) of the Code), and the organization shall not participate in or intervene in (including the publication or distribution of statements) any political campaign on behalf of any candidate for public office. Notwithstanding any other provision hereof, the organization shall not carry on any other activities not permitted to be carried on (1) by a corporation exempt from federal income tax under Section 501(c) (3) of the Code or (2) by a corporation to which contributions are deductible under Section 170(c)(2) of the Code.

**Section 1.04 Policies.** The policies of the organization are as follows:

- A. The organization will operation with Union County Public School Board of Education Policy Manual (“UCPS Policy”) and with approval of the Middle School and High School Principals and Athletic Directors.
- B. At no time shall SVABC make recommendations or become involved with the day-to-day operations of the school sponsored athletic programs. SVABC will not interfere

with any rules, regulations or methods of the Athletic Department or administration.

- C. No officer, member of Sun Valley Administrative Personnel shall use the SVABC as means of furthering any personal, political, or other aspirations, nor shall the SVABC as a whole take part in any movement not in keeping with the real purpose and function of the organization.
- D. General donations accepted by SVABC will be put in the general operating fund; Fundraising must be approved by the Board.
- E. The SVABC will accept written requests accompanied with proper documentation for funds for financial assistance/scholarship.
- F. Financial requests may be tabled for one meeting to allow sufficient time for discussion and research into the request, prior to a decision by the SVABC Executive Board.
- G. The Executive Board may approve financial requests without soliciting the voting membership.
- H. The SVABC will ensure that money is spent fairly on all athletic teams to provide for premiere athletic programs and facilities.

**Section 1.05 Fiscal Year.** The fiscal year of the organization shall begin July 1<sup>st</sup> and shall end on June 30<sup>th</sup> of the following year.

**Section 1.06 Principal Office.** SVABC shall maintain its principal office at Sun Valley High School in Union County, North Carolina or such other place as designated from time to time by the Executive Board.

## **ARTICLE II MEMBERSHIP AND DUES**

**Section 2.01 Membership.** Members of SVABC are parents, guardians, or individuals who support the interest in the athletic activities sponsored by the Sun Valley Cluster Schools.

**Section 2.02 Membership Term.** The membership term shall last one calendar year from the date that membership becomes effective.

**Section 2.03 Membership Fee.** A membership fee, established by the Board, shall accompany an application for membership and shall become the property of SVABC. Any paid membership entitles the member to voting privileges and the right to hold office in the SVABC. If a family membership is purchased, only one member of that family may vote at a club meeting. No family may purchase two individual family memberships.

**Section 2.04 Members Right to Privacy.** Any personal information gathered or requested by the SVABC is for the sole use of the SVABC and will not be available to any other organization outside of SVABC.

### ARTICLE III MEETINGS

**Section 3.01 Executive Board Meetings.** The Board shall meet at times as may be established by the President or at the call of any two other Executive Board Officers. The Board has the authority to cancel any meetings; however, under no circumstances shall the Executive Board meet less than one time per fiscal quarter.

**Section 3.02 General Membership Meetings.** The General Membership shall meet once a month or at such other times as may be established by the Board.

**Section 3.03 Special Called Meetings.** Special meetings may be called by the President, provided that notice is given to the members of the date, time, place, and business to be transacted not less than five days prior to the date of the meeting. Only business for which notice has been given shall be transacted during a special called meeting.

**Section 3.04 Robert's Rule of Order.** The rules contained in Roberts Rule of Order shall govern this organization in all cases in which they do not conflict with the rules of the organization.

### ARTICLE IV EXECUTIVE OFFICERS

**Section 4.01 Executive Officers.** The Executive Officers shall consist of a President, Vice President, Secretary, and Treasurer. The Executive Officers shall be the governing body of the Organization.

**Section 4.02 Terms of Office.** The term for all Executive Officers shall be: President and Treasurer/ 3 years (upon an election of an entire new board, and 2 years thereafter), Vice President and Secretary/ 2 years.

**Section 4.03 Eligibility.** Members eligible for office shall consist of parents or guardians of students attending Sun Valley High and/or Middle School.

**Section 4.04 Elections.** The Executive Officers of this organization shall be elected in May of each election year by all members in good standing. The Executive Officers shall assume their duties on June 1<sup>st</sup> of the election year. Nominations and elections for the upcoming membership shall be handled by a nominating committee as follows:

- A. No more than five (5) members in good standing appointed by the President and approved by the Board shall make recommendations for Executive Officers, except for the founding year where the school constituency serves as the nominating committee; and
- B. The nominating committee shall be responsible for the preparation, distribution, collection, counting of ballots, recording, and reporting the results to the club

President.

**Section 4.05 Vacancy.** A vacancy of the President shall be filled by the Vice President. In the event that any Executive Officer cannot complete his or her full term for any reason, a replacement for that term will be appointed by the President with the approval of the remaining Executive Officers, Athletic Directors and Middle and High School Principals.

**Section 4.06 Expiration, Resignation or Removal.** Each Executive Officer upon expiration of his or her term, or in case of resignation, shall, within seven (7) days, relinquish to the President all records, books and other materials pertaining to the office, and shall relinquish to the Treasurer any monies belonging to the SVABC. Removal of an Executive Officer shall be at the discretion of the remaining Executive Officers, Athletic Directors and Middle and High School Principals.

**Section 4.07 External Audit.** An external audit of the organization's fiscal records shall be conducted by an entity that is not affiliated with the organization as follows:

- A. At the end of each fiscal year (in accordance with UCPS Policy 4-21); and
- B. When there is a change in Treasurer or any Executive Officer who has authority to sign checks on behalf of the SVABC. The audit results will be reported to the Board and Middle and High School Principals.

**Section 4.08 Duties of the Officers.**

- A. President. The President shall:
  1. Be the chief executive officer of the Organization and shall, in general, supervise, and control the affairs of the Organization;
  2. Preside over all general meetings and at all meetings of the Executive Officers and the Executive Board;
  3. Prepare meeting agendas and forward to Secretary to send out with a meeting notice;
  4. Call special meetings as may be deemed necessary;
  5. Be the liaison between the Organization and School Administration;
  6. Preside over ceremonial events and provide general representation for the organization at all athletic events;
  7. Share custody of the Constitution and Bylaws of the Organization with the Secretary;
  8. Automatically be an ex officio member or any and all committees;
  9. Assist and train the Vice President;
  10. Be a designated co-signer of checks and purchase orders;
  11. Develop an activities calendar in coordination with the Athletic

Directors. The calendar shall be presented for approval by the SVABC Board for the upcoming year; and

12. Appoint a member to fill the unexpired term of any Executive Officers or position on the Executive Board with the approval of the remaining Executive Officers, Athletic Directors, Middle and High School Principals..

B. Vice President. The Vice President shall:

1. Assist the President and preform all duties the President in his/her absence;
2. Should take over the responsibilities of the President in the event that office is vacated;
3. The Vice President shall assist the President in supervising the affairs of the organization and its activities including coordination of parent representative from each term;
4. The Vice President shall be the direct Liaison for all committees;
5. Facilitate Roberts Rule of Order; and
6. Any other responsibilities assigned by the Board.

C. Secretary. The Secretary shall:

1. Maintain a copy of these Bylaws as amended or otherwise altered to date;
2. Be the custodian of the Bylaws and records of the organization;
3. Maintain a book of minutes of all meetings of the Executive Officers, Executive Board, general membership, and meetings of the standing committees;
4. Maintain the names of those present at such meetings and the agendas of such meetings;
5. See that all notices are duly given in accordance with provisions of these Bylaws to media outlets, school staff and SVABC members;
6. Send correspondence, as may be directed by the President, Vice President, Treasurer, or Board as a whole; and
7. Work with the Treasurer to maintain accurate records of family membership and effective dates; and
8. Publish the meeting minutes and all updates on the SVABC website.

D. Treasurer. The Treasurer shall:

1. Keep and maintain adequate and correct accounts of the Organization's business transactions, including accounts of its assets, liabilities, disbursements, and other matters customarily included in financial statements and report at each General Board Meeting;
2. Have charge and custody of, and be responsible for all funds of the Organization, and deposit such funds in the name of the Organization

- in such bank as selected by the Executive Officers;
3. Receive and give receipt for monies due and payable to the SVABC for any source whatsoever;
  4. Disburse or cause to be disbursed, the fund of the organization as may be directed by the Executive Officers and taking proper vouchers for such disbursements;
  5. Exhibit at all reasonable times, the books of account and financial records;
  6. Submit annual proposed budget at general membership meetings for approval;
  7. Coordinate fundraising requests;
  8. Submit to any audits;
  9. Co-sign all checks. All checks must have two signatures.
  10. Cause to be prepared and filed any reports, forms or tax returns required to be filed with state and federal government in connection with the organization's tax-exempt status, and shall have other powers and perform such duties that may be presented by the Executive Officers, Executive Board or general membership;
  11. Set up and maintain a 3-year file located at the high school;
  12. Work with the secretary to maintain accurate records of family memberships and effective dates.

## **ARTICLE V EXECUTIVE BOARD**

**Section 5.01 Composition.** The Executive Board shall be composed of the President, Vice President, Secretary, Treasurer, the Middle School Principal, the High School Principal, and the middle and high school Athletic Directors.

### **Section 5.02 Duties of the Executive Board.**

- A. Ensure that organizational procedures and operating practice are fiscally, financially and legally sound;
- B. Assure the organization's membership that the organization is operating in conformance with all the rules, regulations, laws, ordinances, and statutes that govern the organizations;
- C. Actively participate in the organization including attending meetings evaluating reports and reading minutes;
- D. Report any conflicts of interest immediately to the Executive Officers;
- E. Submit to the membership a proposed annual budget and a statement of the needs of the organization and various athletic needs; and

F. Administer the activities of the organization between meetings.

**Section 5.03 Authority to Act.** If action on behalf of the organization is necessary before it is reasonable to convene the general membership meeting, the President shall take such action based on the majority vote of the Board. A report of the action taken shall be made at the next general membership meeting. The Middle and High School Principals will be the final decision makers regarding all matters pertaining to the athletic program of the school(s).

## **ARTICLE VI STANDING COMMITTEES**

**Section 6.01 Standing Committees.** There shall be committees appointed from the general membership as deemed necessary by the Board or the general membership to properly execute all of the organization's programs and activities. Each committee will be responsible for meeting outside of the general meeting and making recommendations of appropriate options to the Board in accordance with their charge. All committees shall be composed of a chairperson with a minimum of two (2) members. Any voting member in good standing shall be eligible for committee chairperson or committee membership.

The Standing Committees of this organization shall be the Communication Committee, Capital Improvement Committee, Fundraising & Sponsorship Committee, Concessions Committee, Membership Committee, and Merchandising Committee. Additional, non-standing, committees may be appointed by the President of the Board at any time needed.

**Section 6.02 Chairpersons.** Chairpersons shall be approved by the President with the consent of the Board for a term of one (1) year. Each Chairperson shall:

- A. Keep an historical file of the year's proceedings, financial records, vendor contracts, minutes of meetings, etc.;
- B. Not have the authority to use or remove any SVABC funds for investment purposes or otherwise, unless directed and approved by the Board;
- C. Upon expiration of his or her term, or in case of resignation, shall, within seven (7) days, relinquish to the organization's President all historical files, records, books, and other materials pertaining to the Committee, and shall relinquish to the Treasurer any monies belonging to the Organization; and
- D. Recruit volunteers as necessary to accomplish the functions of the Committee.

### **Section 6.03 Primary Functions of Standing Committees.**

- A. Communications Committee. The Communications Committee shall be responsible for:
  - 1. Submitting photos and articles to local newspapers regarding athletic booster activities, providing updated information to the Web Master about Booster activities for the SVABC Webpage;
  - 2. Providing for email or telephone communication with the membership in coordination with the Board and appropriate committee; and
  - 3. Publishing sports program and/or media guide programs and the SVABC Newsletter and other duties as necessary.
- B. Capital Improvements Committee. The Capital Improvements Committee shall be responsible for:
  - 1. Identifying the capital improvement needs of the Athletic Department;
  - 2. Working in unison with Fundraising Committee and Athletic Directors in identifying these long/short term improvement needs; and
  - 3. Bring cost analysis and recommendations to the Board for consideration of funding.
- C. Fundraising & Sponsorship Committee. The Fundraising & Sponsorship Committee shall be responsible for:
  - 1. Coordinating all SVABC fundraising projects;
  - 2. Working closely with the treasurer on fundraising opportunities; and
  - 3. Developing long/short term fundraising plan that will support the athletic program and facilities needs program.
- D. Concessions Committee. The Concessions Committee shall be responsible for:
  - 1. Ensuring the efficient operations of the concession stands for all sports;
  - 2. The scheduling of volunteers and accounting of receipts; and
  - 3. Reporting to the Treasurer.
- E. Membership Committee. The Membership Committee shall be responsible for:
  - 1. Soliciting potential members and maintaining a database of members;
  - 2. Keeping a membership book containing the name, address, phone number, effective date of membership, and email address of each member; and
  - 3. Contacting team representatives regarding general membership meeting dates.
- F. Merchandising Committee. The Merchandising Committee shall be responsible for:
  - 1. All sales of apparel and spirit wear merchandise at athletic events as



- well as sales from the website;
  - 2. Explore popular designs and trending sales; and
  - 3. Get bids for proposal to the SVABC Executive Board for final financial approval.
- G. Commissioners: Football, Cheerleading, Spring Sports, and Fall Sports Co-Commissioner
- 1. Liaison between the coaches and parents;
  - 2. Liaison between the teams and Executive Board;
  - 3. Assist with inventory of equipment;
  - 4. Responsible for the allotment of equipment;
  - 5. Report all unresolved grievances to the Executive Board.;
  - 6. Submit any requests for equipment needs to the Executive Board; and
  - 7. Ensuring the coaches are complying with any requirements set forth by the Executive Board.

## **ARTICLE VII TEAM REPRESENTATIVES**

**Section 7.01 Team Representatives.** Team Representatives shall be appointed by the head coach of each sport to represent each sports team in the SVABC. Team Representatives shall serve as liaison between the parents of the team and team coach. Duties of Team Representatives shall include, but are not limited to the following:

### **Sections 7.02 Duties of the Team Representative.**

- A. Report needs and/or concerns of their respective teams to the Team's Coach;
- B. Serve as the communications source to the parents on behalf of the coach;
- C. Coordinate the recruitment of volunteers to work in concession duty, collect gate fees, and at various fundraising events with the Fundraising and Concession Committees; and
- D. Are encouraged to use other team parents and guardians to carry out the assigned duties.

## **ARTICLE VIII Amendments**

**Section 8.01 Amendment of By-laws.** These Bylaws may be amended by a majority of Board members present at any regular meeting. The amendments must have been presented at the preceding regular meeting of the organization.

## **ARTICLE IX DISSOLUTION OF SVABC**

**Section 9.01 Dissolution of SVABC.** In the event of termination, dissolution of winding up of the affairs of the corporation in any manner or for any reason whatsoever, the Executive Officers shall, after paying or making provision for payment of all liabilities of the corporation, distribution all of the remaining assets of the corporation as such Executive Officers may determine among one or more organization which are the organized and operated for exempt purposes and qualified as exempt organizations under Sections 501(c)(3) of the Code and to which contributions are then deductible under Section 170(c)(2) of the Code or to federal, state, local governments to be used exclusively for public purposes.

### **AMENDMENTS**

**Amendment I.** The Principal has the final voice for all decisions involving the spending of Booster Club funds. October 19, 2009.

**Amendment II.** SVABC must be provided with a written request for merchandise and/or services. The request for said merchandise and/or services over \$500.00, must be accompanied with three (3) quotes, if after a period of two(2) weeks, SVABC has not received three (3) quotes due diligence has been completed and the request for merchandise and/or service will go to a vote with the SVABC Executive Board. SVABC must be provided with a written request for merchandise and/or services. The request for said services over \$1,000.00 must be accompanied by three (3) quotes. If SVABC has not received three (3) quotes, then SVABC must request additional quotes. If after as added two week time period, bringing that to a total a four (4) weeks, SVABC has not received three quotes due diligence has been completed and the request for merchandise and/or services will go to a vote with the SVABC Executive Board. September 17, 2012.

**Amendment III.** The Sun Valley High School Principal and the Sun Valley Middle School Principal have the final voice for all decisions involving the expenditure of Booster Club funds. September 17, 2012.

**Amendment IV.** There will be no refund for any participant after the first scrimmage and/or game. September 17, 2012.

**Amendment V.** There will be no refund for any participant after the first scrimmage and/or contest, or once an equipment and/or booking cost has incurred, unless at the discretion of the SVABC Board. December 9, 2014.

Signatures:

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President, Robert Loughery

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Sun Valley High School Principal, Dr. Shaun Poole

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Sun Valley High School Athletic Director, Chris Batchelor

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Sun Valley Middle School Principal, Vicki Merritt

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Sun Valley Middle School Athletic Director, Erik Gundersen

Witnesses:

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Vice President, Nancy Marple

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Secretary, Amy Ellis

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Treasurer, Shea Nygaard