

PANTHER CREEK HIGH SCHOOL ATHLETIC BOOSTER CLUB

BYLAWS

(Revised October 30, 2018)

Article I: Name

The name of this association is the Panther Creek High School Athletic Booster Club, hereinafter known as the ABC.

Article II: Purposes

Section 1: The objectives of the ABC, in conjunction with, and support of, the Athletic Director, shall be:

- a) To provide financial support for the Athletic Programs of Panther Creek High School.
- b) To generate a spirit of awareness and enthusiasm for these athletic programs within Panther Creek High School and the surrounding community.
- c) To promote interscholastic athletics as a means of improving the physical condition, enhancing the mental well-being, and strengthening the moral fiber of the students of Panther Creek High School.

Section 2: The ABC is organized exclusively for the charitable 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.

Section 3: No part of the net earnings of the Corporation shall inure to the benefit of any trustee, director or officer of the Corporation, or any private individual (except that reasonable compensation may be paid for services rendered to or for the Corporation), and no trustee, director or officer shall be entitled to share in the distribution of any of the corporate assets upon dissolution of the Corporation.

Article III: Basic Policies

Section 1: The ABC shall be composed of voluntary and concerned persons having an interest in supporting and promoting a positive experience for the student athletes, their parents, the spectators, coaching staff and administrators of Panther Creek High School.

Section 2: The ABC shall not, under any circumstances, interfere with the organization or operation of Panther Creek High School or the Panther Creek High School Athletic Department and shall not accept funding requests directly from the coaching staff, any member coach thereof and/or persons other than Ex-Officio Members (as defined in Article IV, Section 7 below).

Section 3: The ABC shall strive to develop a spirit of enthusiasm for Panther Creek High School Athletics to generate and sustain a climate of citizen interest within the surrounding community, to promote an attitude of good sportsmanship and to encourage student participation in the variety of athletic activities available within Panther Creek High School.

Section 4: The Athletic Director shall prepare and submit a budget to the Board of Directors prior to May 1st of each year to allow for review and approval before June 1st of each year.

Section 5: An Ex-Officio member (as defined in Article IV, Section 7 below) of the ABC must review all suggested allocations of monies or items to be appropriated for the athletic programs of Panther Creek High School.

Section 6: All non-budgeted disbursements of funds in excess of \$500 from the ABC must be authorized and approved by a simple majority of the Board of Directors.

Section 7: All capital project expenditures requiring approval by the Wake County Public School System shall be authorized and approved by a simple majority of the Board of Directors.

Section 8: All purchases requested by coaches must utilize a purchase order (PO) issued by the Treasurer. Purchases made without the use of a PO are subject to non-payment by the ABC, and the purchaser may be held liable for payment to the vendor.

Section 9: There shall be two signatures placed on all checks against the ABC account except when the value of the invoice or expense is \$500.00 or lower in value. In the case where the check is \$500.00 or lower, there shall be one signature. The signature may be the Treasurer, President or in the absence or incapacity of either of these officers, the Secretary shall also have signatory privileges. No single signature checks shall be paid to the signatory or any affiliate of the signatory. An affiliate is defined as any entity in which the signatory, signatory's spouse or signatory's relative is a partner, owner, officer, member, member-manager or shareholder of the payee of the single signatory check. Any check written to an affiliate requires two signatures.

Section 10: A General Membership meeting is to be held at least two times each year.

Section 11: A team can have meal funds at the request of the team's Head coach and with the approval of the Athletic Director. The funds are exclusively for the purchase of food for pre/post practice and pre/post games. All other income/expenses should be processed through the ABC. Before an expense is paid from the meal funds, a meal fund expenditure form will be filled out and signed by the Treasurer or the President, or in the absence or incapacity of either of these officers, the Secretary shall also have signatory privileges and the team representative for meals. Food expenses need to be submitted within 48 hours of the event.

Article IV: Membership & Dues

Section 1: A General Member shall be defined as and limited to those individuals who have paid their annual membership dues.

Section 2: Each General Member of the ABC shall pay such annual dues to the ABC as established by the Board of Directors.

Section 3: Different types or levels of General membership may be established by the Board of Directors of the ABC.

Section 4: The ABC shall conduct an annual enrollment of members, but may admit persons to General Membership at any time.

Section 5: Membership in the ABC shall be made available without regard to sex, race, age, color, creed or national origin.

Section 6: Only members of the ABC shall be eligible to participate in its business meetings or to serve in any of its elective or appointive positions.

Section 7: The Principal and Athletic Director of the Panther Creek High School or their duly appointed representatives shall serve as Ex-Officio Members by virtue of their positions. The Ex-Officio Members shall not have voting privileges.

Section 8: The names of Ex-Officio members shall be reported to the President of the ABC on or before August 1st of each year.

Section 9: The General Membership year shall begin on August 1st of each calendar year and end on July 31st of the following calendar year.

Article V: Board of Directors

Section 1: The ABC shall be governed by a Board of Directors consisting of members elected to a defined position from the General Membership. Members of the Board of Directors shall be parents and/or legal guardians of Panther Creek High School student athletes.

Section 2: The President, all Vice Presidents, the Secretary and the Treasurer, by virtue of their office shall be members of the Board of Directors.

Section 3: New Directors shall be elected to the Board at the regularly scheduled General Membership meeting conducted in April of each year by a simple majority vote of those members present.

Section 4: Replacement Directors may be elected to the Board throughout each year via a simple majority vote of the Board of Directors to fulfill terms of the Director leaving the ABC due to resignation or incapacity.

Section 5: Those serving on the Board of Directors shall be deemed “members in good standing” by having satisfied these four requirements: (1) The payment of their annual dues. (2) The attendance at 75% or more of the regularly scheduled Board of Directors Meetings. (3) Their active participation on at least one standing committee. (4) Their assistance at manning the concession stands, ticket sales (gate) or other athletic event activities.

Section 6: New Board Members may be elected to the Board as Probationary Board Members in the spring of each year without having paid membership dues for that current year. They shall then become a regular Board Member during the next school year upon payment of usual dues.

Section 7: Members who are working at concession stands, conducting ABC business elsewhere or who are attending their child’s athletic event during the time of a Board Meeting shall be considered excused from attendance at that meeting if they contact the Secretary ahead of time and indicate that they will be absent.

Section 8: Members may serve on the Board of Directors for succeeding or consecutive terms as long as they are “members in good standing”

Section 9: All powers not given to the President under these bylaws shall be exercised by the Board of Directors which is expressly charged with the responsibility of carrying out the Purposes of the ABC and to implement them in all ways consistent thereto.

Section 10: Members may be removed from the Board of Directors through either resignation or by a simple majority vote of the Board Members.

Article VI: Officers & Their Election

Section 1: The Officers of the ABC Board shall consist of a President, up to five Vice Presidents, a Secretary and a Treasurer.

Section 2: Each Officer shall be a General Member of the ABC.

Section 3: The term of office for each Officer shall be for one calendar year beginning on June 1st and ending on the last day of May of the following calendar year.

Section 4: Officers may be elected to serve for succeeding or consecutive terms.

Section 5: Officer Nominating Committee

- a) An Officer Nominating committee composed of an uneven number of not less than three members of the Board of Directors shall be appointed by the President prior to March 1st.
- b) The nominating committee shall nominate an eligible person or persons for each office to be filled and report its nominees to the ABC prior to May 1st. Additional nominations may also be made from the floor at the first meeting after the slate of nominees has been presented. Officers shall then be voted upon by the General Membership.
- c) Only those individuals who have signified their consent to serve if elected shall be nominated for or elected to such office.

Section 6: Vacancies occurring in any office shall be filled for the unexpired term by a person elected by a simple majority vote of the members of the Board.

Article VII: Duties of Officers

Section 1: **President**

- a) Preside at all meetings of the Board of Directors and of the ABC for which he/she is present.
- b) Appoint any special or temporary committee that he/she deems to be necessary to achieve the Purposes of the ABC and may dissolve such committee at his/her discretion.
- c) In the event of incapacity or resignation of a member of any committee, the President shall have the power to appoint a member of the ABC to fill the unexpired term of that committee member.
- d) Perform such duties as may be prescribed in these bylaws or assigned to him/her by the ABC.
- e) Coordinate the work of the Officers and committees of the ABC in order that the Purposes of the ABC may be achieved.

Section 2: **Vice Presidents**

The Vice Presidents shall act as aides to the President and shall perform such functions or duties as is prescribed by the President in order that the Purposes of the ABC may be achieved.

Section 3: **Secretary**

- a) Record the minutes of all meetings of the ABC and report them to the membership.
- b) Maintain a current copy of the bylaws, membership list, and Minute Book and shall surrender same at the conclusion of their term of office to their successor.
- c) Ensure that the Minute Book is available at each regular meeting of the Board of Directors.
- d) In the event of the Secretary's absence at a Board of Directors regular meeting, ensure that an acting secretary be present to record minutes.
- e) Maintain a record of attendance at all meetings.

Section 4: **Treasurer**

- a) Receive disposition and have custody of all funds collected arising from dues, contributions, fund raising events or other activities related to the Purposes of the ABC. All funds will be deposited in a timely manner by someone other than the Treasurer.
- b) Keep and maintain a full and accurate record of all receipts and expenditures of the ABC.
- c) Present a financial statement at every Board of Directors regular meeting or at other times when requested by the Board.
- d) In the event of the Treasurers absence at a Board regular meeting, ensure that the Treasurers report is made available at the meeting.
- e) Prepare a summary report through the last day of April each year and make it available to the new officers at the time when they officially assume their duties.
- f) File or cause to be filed any required tax forms in accordance with current State and Federal filing requirements following the end of the ABC's fiscal year.
- g) Cause to have the Treasurers accounts to be examined annually by an auditor or auditing committee who, satisfied that the Treasurers annual report is correct, shall sign a statement of that fact at the end of the report. The auditing committee shall be selected from non-officers of the Board of Directors by a simple majority vote of the Board at least two weeks prior to the meeting at which new officers assume their duties.

Section 5: **All Officers shall:**

- a) Perform the duties outlined in these bylaws and assigned to them from time to time.
- b) Upon the expiration of term of office or in the 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.
- c) Hold only one office at any given time.
- d) Not be a member of the same immediate family.

Article VIII: Meetings

Section 1: It shall be the responsibility of the President to establish a meeting place, time, and date for all regular or special meetings of the General Membership and the Board of Directors to ensure that proper notification of said meetings is given to all members of the ABC.

Section 2: Board of Director or General Membership special meetings may be called by the President or by any member(s) of the Board of Directors after notice to the President or the member(s) calling the special meeting to establish a meeting place, time and date and to ensure that proper notification of said meeting is given to all member of the ABC. These meetings shall not conflict with any regularly scheduled meeting.

Section 3: Board of Directors regular meetings shall be conducted at least four times per year and shall not be open to all General Members.

Section 4: One third of the Board of Directors shall be present at any meeting to constitute quorum and only then will proxy voting be allowed.

Section 5: The election of the Board of Directors and the approval of the annual budget shall be decided by a simple majority vote by the General Membership present plus any appropriate proxy votes. The method of voting shall be at the option of the President and each Member family shall have one vote.

Section 6: All other motions put before the Board of Directors, (assuming a quorum is present) shall be decided upon by a simple majority vote by the Board of Directors. The method of voting shall be at the option of the President. Motions must be approved by a simple majority of the Board members to pass (proxy votes are allowed).

Section 7: An agenda shall be developed and adhered to for each General Membership meeting.

Section 8: Special or invited guests to any meeting must be introduced at the beginning of that meeting.

Section 9: The Board of Directors or any member thereof shall have the prerogative to cast their vote in the absence of any special or invited guest.

Article IX: Committees

Section 1: Only members of the ABC shall be eligible to serve in any elective or appointive positions.

Section 2: The Board of Directors may create such standing committees as it may deem necessary to promote the Purposes and carry on the work of the ABC. The chairman of each standing committee shall be for a period of one year or until such time as a successor is named.

Section 3: All standing committees are to be fully organized by June 1st of each year.

Section 4: The chairman of each standing committee shall present a plan of work including a budget to the Board of Directors for approval. No committee work shall be undertaken without consent of the Board of Directors.

Section 5: The Board of Directors may create such special committees as it may deem necessary to promote the Purposes and carry on the work of the ABC. These committees shall be disbanded upon the completion of their work and its final report is received.

Section 6: The chairman of each special committee shall decide on the number of members required and shall select members from the Board or the General Membership to fill that committee.

Section 7: The President shall be a member Ex-Officio of all committees except the nominating committee.

Article X: Fiscal Year Definition

The fiscal year of the ABC shall begin on June 1st of each year and end on May 31st of the following year.

Article XI: Parliamentary Authority

The rules contained in the current edition of Robert's Rules of Order shall govern the ABC in all cases in which they are applicable and in which they are not in conflict with these bylaws.

Article XII: Amendments to the Bylaws

Section 1: The Bylaws of the ABC may be amended at a Board of Directors regular meeting by a simple majority vote.

Section 2: All proposed changes to the bylaws are to be submitted for review to the Board of Directors.

Section 3: Copies of the proposed changes to the bylaws shall be given to the Board of Directors at least one week prior to the Board's regular meeting at which such proposed amendment(s) are to be voted upon.

Section 4: No proposed changes to the bylaws shall be voted upon at any meeting unless there is a quorum of the Board of Directors present at the meeting.

Section 5: The bylaws including any amendments thereto will not be considered official unless and until they have been approved and recorded in the minutes.

Section 6: The Panther Creek High School Athletic Booster Club's bylaws will be available to all on the ABC website www.panthercreekathletics.com.

Section 7: Copies of these bylaws shall be maintained by the President and Secretary of the ABC as well as by the Principal and Athletic Director of Panther Creek High School.

Article XIII: Team Fundraising

Section 1: Based on the budget described in Article III, Section 4, a fundraising goal shall be set each year for each team by the Athletic Director. The amount of the fundraising goal for each team, which should be commensurate with the expected expenses of the team while considering other sources of

income, shall be approved by the Board of Directors in order to assure that adequate funds are planned to properly address the budget.

Section 2: Team fundraising will be tracked using ledger entries for each team, as opposed to a separate account for each team. This will allow visibility into income and expenses associated with each team fundraising ledger.

Section 3: Any team not meeting their annual fundraising goal is subject to the withholding of discretionary funding such as end of year banquets, senior awards, and other expenses not directly required for safely operating their respective sport.

Section 4: Any team that exceeds their fundraising goal for the year shall be given the opportunity to request the funding of expenditures outside the budget. The use of these excess team funds must be discussed with the Athletic Director by the Head Coach.

Section 5: Excess funds above the annual fundraising goal will remain allocated to the respective team from year to year for possible future expenditures, but these excess funds cannot be used to offset the team's fundraising goal for the following year. Additionally, these excess funds cannot be spent in succeeding years until the team meets their annual fundraising goal for those succeeding years without the approval of the Athletic Director.

Section 6: A team may solicit donations directly from individuals or corporations only with the prior consent of the Athletic Director and ABC. The following conditions apply to team solicitation, receipt and use of directly donated funds.

- a) Prior to accepting a private individual or corporate donation the team will complete a Request for Individual/Corporate Donation form provided by the ABC and approved by the Athletic Director. The special project that the funds are to be applied to should be specified on the Donation form.
- b) Team's use of funds shall be in accordance with this Article XIII of the Bylaws
- c) In the event that the annual team fundraising goal is not yet met, the donation will apply first to the team's outstanding fundraising balance prior to the balance of those funds being generally available to the team.
- d) Any request for a corporate donation from an existing corporate sponsor of the PC ABC will not be approved by the Athletic Director or ABC.
- e) No sponsorship benefits (signage or other promotion) shall be extended by an individual team to a donor without consent from the ABC. Requests for sponsorship opportunities should be referred to the ABC.
- f) Corporate matches to individual donations must be received during the same fiscal year (ending May 31st) that the individual donation is received.
- g) Donation checks should be made payable to PCHS ABC with the beneficiary team specified in the memo.

Article XIV: Termination or Dissolution

Section 1: The Panther Creek High School Athletic Booster Club may be dissolved or disbanded by a two-thirds vote of its members.

Section 2: In the event that the ABC is disbanded, the Treasurer, after adequately providing for the debts and obligations of the organization, is directed to pay the remaining funds in his/her possession to the Panther Creek High School Athletic Fund. A full accounting of all receipts and expenditures made since the last treasurer's report shall be incorporated in the "Minutes Book" as the final permanent record of the Panther Creek High School Athletic Booster Club.