

SMNW COUGAR FOOTBALL BOOSTER CLUB BYLAWS

ARTICLE I - NAME

Section 1. The name of this association shall be the SMNW Cougar Football Booster Club, with headquarters in the State of Kansas. The place in this state where the principal office of the Association is to be located is the City of Shawnee in Johnson County.

Section 2. Said association is organized exclusively for charitable, religious, educational and scientific purposes, including, for such purposes, the making of distributions to organizations that qualify as exempt organizations under section 501(c)(3) of the Internal Revenue Code. Or the corresponding section of any future federal tax code.

Section 3. No part of the earnings of the association shall inure to the benefit of, or be distributable to its members, trustees, officers, or other private persons, except that the association shall be authorized and empowered to pay reasonable compensation for services rendered and to make payments and distributions in furtherance of the purpose set forth in Section 2 hereof. No substantial part of the activities of the association shall be the carrying on of propaganda, or otherwise attempting to influence legislation, and the association shall not participate in, or intervene in (including the publishing or distribution of statements) any political campaign on behalf of or in opposition to any candidate for public office. Notwithstanding any other provision of these sections, the association shall not carry on any other activities not permitted to be carried on (a) by an association exempt from federal income tax under section 501(c)(3) of the Internal Revenue Code, or the corresponding section of any future federal tax code, or (b) by an association contributions to which are deductible under section 170(c)(2) of the Internal Revenue Code, or the corresponding section of any future federal tax code.

Section 4. Upon the dissolution of the association, assets shall be distributed for one or more exempt purposes within the meaning of section 501 (c) (3) of the Internal Revenue Code, or the corresponding section of any future federal tax code, or shall be distributed to the federal government, or to a state or local government, for a public purpose. Any such assets not so disposed of shall be disposed of by a Court of Competent Jurisdiction of the county in which the principal office of the association is then located, exclusively for such purposes or to such organization or organizations, as said Court shall determine, which are organized and operated exclusively for such purposes.

ARTICLE II - MISSION

The Mission Statement of the Booster Club is:

The SMNW Cougar Football Booster Club is a group of parents/supporters, dedicated to improving the football experience for all players in the SMNW football program. We will support the needs of the coaches and players to the best of our ability through forward planning, volunteerism, fund raising, and exuberant support.

ARTICLE III - OBJECTIVES OF THE CLUB

The objectives of this club shall be:

Section 1. To promote, improve, and support the SMNW High School football program by any suitable method or media.

Section 2. To increase parent and community involvement in the SMNW High School football program.

Section 3. To solicit, collect, receive, acquire, hold, and invest money and property, both real and personal including money and property received by gift, contribution, bequest, or device; to sell and convert property, both real and personal, into real cash, and to use the funds of this organization and the proceeds, income, rents, issues, and profits derived from any property of this organization for any purposes for which this organization is formed, not to conflict with KSHSAA.

Section 4. To do all things necessary, expedient, or appropriate to the accomplishment of any of the objectives and purposes for which this club is formed.

Section 5. The booster club shall not interfere with the coaches, athletic department, or staff.

ARTICLE IV - MEMBERSHIP

Section 1. Membership in this association shall be open to all individuals who choose to participate. Active membership shall consist of dues paying members and honorary members who are interested in upholding the mission of the Booster Club. One membership per family is required for membership in the club. Each booster club membership grants the parent(s) / supporter(s) up to a maximum of 2 votes for adults over the age of 18 years residing within the immediate family of the paying member.

Section 2. All memberships will be maintained for 12 months beginning February 1 and ending January 31.

Section 3. The Executive Board shall determine the annual membership fee. Delinquent members may regain active status by payment of the current year's dues.

Section 4. Members, paid and/or honorary, 18 years of age and older shall have the privilege of the floor at meetings of the Booster Club, the privilege of voting, the privilege of holding office, and serving as a committee chair.

Section 5. The Executive Board may at any time revoke the membership rights of a member with a two-thirds vote of the Executive Board for violation of rules or inappropriate behavior that is not consistent with the mission of the booster club. The member has the right to appeal the ruling by a majority vote of the membership if they so choose.

ARTICLE V - OFFICERS

Section 1. The officers of the Booster Club shall consist of a President, Vice President, Treasurer and Secretary. Only one person may normally occupy any position however when two people wish to share a position, only one vote will be permitted per position.

Section 2. The term of office shall be one year commencing February 1.

Section 3. No person shall be elected to the office of President for more than two consecutive terms.

Section 4. Any officer of the booster club should be the parent of an existing football player and student at Shawnee Mission Northwest. No current member of the coaching staff can be elected to an officer position, which would include the President, Vice-President, Secretary and Treasurer.

ARTICLE VI - DUTIES OF OFFICERS

Section 1. President – The president shall preside at all meetings of the Booster Club and all meetings of the executive board, act as the principal executive officer of the Booster Club and enter into agreements in the name of the Booster Club that have the authorization of the members.

Section 2. Vice President – The vice president shall perform the duties assigned by the president. In the absence of the president, the vice-president shall assume the duties of the president.

Section 3. Secretary – The secretary shall take charge of all papers of the Booster Club, shall keep a record of all members of the Booster Club, and shall inform the membership of the affairs of the Booster Club; shall attend to all necessary correspondence to carry out the business of the Booster Club; and take minutes of all meetings and distribute to the membership at the following meeting(s).

Section 4. Treasurer – The treasurer shall take charge of all financial records of the Booster Club and shall receive and disburse the funds of the Booster Club. The treasurer shall prepare the Booster Club's financial statements and shall, at the beginning of the Booster Club year (Feb 1- January 31), prepare a budget for the Booster Club along with the executive board. A Treasurer's report setting forth all expenses and income shall be provided in writing to all members at all Booster Club meetings or a minimum of once per month at the first meeting of the month. The treasurer shall assist in the preparation of year end tax return requirements when necessary.

Section 5. Assistant Treasurer – An assistant treasurer shall be appointed by the Executive Board to assist in the duties of the treasurer. The assistant treasurer will not be an officer or member of the executive board. To assist with continuity in the financial aspects of the association, the assistant treasurer can be nominated for the position of treasurer at the next annual election.

Section 6. In the event of a permanent absence of the secretary or treasurer, the president – or his or her appointed delegate – shall take charge of the monies, papers, and other properties and shall assume the responsibilities of the office until such time as a new secretary or treasurer is duly elected and installed into the office.

Section 7. In the event of a permanent vacancy in the office of president, the vice president shall assume the office of President. In the event of a permanent vacancy in the office of vice president, secretary, or treasurer, the Executive Board shall elect a replacement for the remainder of the term.

Section 8. Officers and committee members shall serve without compensation, but shall be entitled to reimbursement for actual expenses incurred in performing their responsibilities of the Booster Club excluding travel, meals, or other personal expenses. Either the president or vice president shall approve all expenses.

Section 9. An officer may be removed from office for cause upon vote of two-thirds of the total membership of the Booster Club.

Section 10. Maintenance and Inspection of Records: The articles of incorporation, bylaws, accounting books, records, minutes of proceedings of the booster club and committee(s) of the booster club shall be kept at such place or places as designated by the executive board, or, in absence of such designation, at the principal executive office of the association. Minutes shall be kept in written or typed form and other books and records shall be kept in either written form or any other form capable of being converted into written form. Every officer shall have the absolute right at any reasonable time to

inspect all books, records, and documents of every kind and the physical properties of the Booster Club for a reason reasonably related to his/her interests as an officer.

ARTICLE VII - EXECUTIVE BOARD

Section 1. The Executive Board shall consist of the officers, class coordinators and the head varsity football coach or a coach designated by the head football coach.

Section 2. The Executive Board shall have complete control and management of the affairs, funds, and property of the Booster Club.

Section 3. A simple majority of the Executive Board attending meetings shall constitute a quorum. Regardless of the number of offices and chairmanships held, no person shall have more than one vote on the Executive Board.

ARTICLE VIII - STANDING COMMITTEES

Section 1. In the event of a vacancy in the chairmanship of a standing committee, the president shall appoint a replacement with the approval of the Executive Board.

Section 2. There may be the following standing committees:

- a. Membership Committee
- b. Public Relations Committee
- c. Program Committee
- d. Banquet Committee
- e. Breakfast/Dinner Committee
- f. Activities Committee (parade, pep-rallies, bon-fire, etc.)
- g. Fund Raising Committee
- h. Communications Committee
- i. Coach/Team Support Committee
- j. Equipment and/or Purchasing Liaison Committee
- k. Freshman Parent Welcome/Orientation Committee
- l. Scholarship Committee

Additional committees may be added by vote of the Executive Board.

Section 3. Duties of Standing Committees:

- a. **Membership Committee** - To initiate and coordinate efforts to increase the membership and maintain contact with current members.
- b. **Public Relations Committee** - To promote and publicize the Booster Club and football teams.
- c. **Program Committee** - To develop the annual team program including all aspects of ad selling, design, printing, and distribution/sales.
- d. **Banquet Committee** - Coordinate all year-end banquets for all teams including the kickoff banquet.

- e. **Breakfast/Dinner Committee** - Coordinate all team breakfasts and dinners.
- f. **Activities Committee** – Provide event oversight for pep rallies, bonfire, homecoming parade, concession stand operation and maintenance, etc as directed by the SMNW Spirit Club and Administration.
- g. **Fund Raising Committee**: Coordinate all fund raising activities outside of the Program Committee with the approval of Administration.
- h. **Communications Committee**: Maintain the smnwfootball.com website to insure frequent communication that is accessible to all members. Utilize other communication methods to ensure that information is adequately distributed to members and players.
- i. **Coach/Team Support Committee**: - Provide support to the coaches at all levels for the purposes of collecting statistics, play-by-play documentation, running chains, lining field, game-day field prep, etc. Interact with coaches to determine how the booster club can support team needs for players. Develop and provide information for off-season personal training and nutrition programs for the players.
- j. **Equipment and/or Purchasing Liaison Committee** - Provide support and information to coaching staff regarding equipment needs and requirements for the player's safety.
- k. **Freshman Parent Welcome/Orientation Committee** - Provide support and information to new freshman parents. If needed, a separate Welcome/Orientation gathering may be held at the discretion of the committee.
- l. **Scholarship Committee** – To develop and recommend the number and dollar amounts of annual Booster Club scholarships available including the criteria to obtain scholarship(s).

ARTICLE IX - SPECIAL COMMITTEES

Section 1. There shall be the following special committees to be appointed by the president each year:

- a. **Nominating Committee**
- b. **Bylaw Review Committee**
- c. **Financial Analysis Committee**

Section 2. **Duties of Special Committees:**

- a. **Nominating Committee** - The Nominating Committee of (5) five members (Four (4) parent class representatives and one (1) member-at-large), appointed by the President shall select nominees for each office and distribute names of the slate of nominees to the membership at the Tuesday following the last football game of the season. No member of this committee may, at the time of appointment, hold office in the Booster Club.
- b. **Bylaw Review Committee** - To consider additions and amendments to the bylaws and insure compliance to it. This Committee (2 persons plus the incoming Secretary) shall be appointed by the President and will serve from February 1 to January 31.
- c. **Financial Analysis Committee** – This Committee (2 persons plus the incoming Treasurer) shall be appointed by the President and will serve from February 1 to January 31. Its duty shall be to complete an analysis of the SMNW Cougar Football Booster Club’s banking accounts and financial records. This analysis would take place each time there is a new treasurer.

Section 3. The president shall be empowered to appoint other committees, which, in his or her judgment, would appear to assist the Booster Club in realizing its objectives.

ARTICLE X - MEETINGS

Section 1. The president shall work with the Executive Board to build a schedule of meetings for the year. The schedule will include when meetings will begin for the coming football year. Typically the Booster Club will meet once a week during the football year in a room at SMNW communicated in advance to the membership.

Section 2. Special meetings with the coaching staff will be coordinated with the Booster Club to insure all members are informed of the meeting purpose, time and place.

Section 3. The Executive Board will have the ability to meet independently outside of the normal Booster Club meeting schedule.

Section 4. Members can call for a special meeting of the Booster Club by submitting their interest and purpose for the meeting to any member of the Executive Board. The Executive Board must approve the decision for a special meeting.

ARTICLE XI - ELECTIONS

Section 1. During the first regularly weekly scheduled Booster Club Meeting following the last football game of the season the Nominating Committee will present to the membership officer candidates for each position for the coming year. Any member-in-good-standing may make additional nominations from the floor at this meeting.

Section 2. During the second regularly weekly scheduled Booster Club Meeting following the last football game of the season, the officer candidates presented by the Nominating Committee and any nominations taken from the floor will each be given 5 minutes to speak to the membership about their qualifications and will then be voted on by secret ballot by the membership. The secretary and treasurer will count the ballots and report the results to the membership.

Section 3. Following the completion of the election, the newly elected officers will work alongside the current officers until they assume the full responsibility of their new positions beginning February 1. The newly elected officers will immediately be given access to all information available to the current officers.

ARTICLE XII – FINANCES

Section 1. The Treasurer shall be the custodian of the association's funds. The Treasurer shall deposit the funds in such banking institution as the Executive Board shall authorize, and the account(s) shall be in the association's name. Checks shall require **one** (1) signature with the President, Treasurer, and the Assistant Treasurer, as authorized signers on the account(s). The treasurer will need to be bonded.

Section 2. The Executive Board shall prepare a budget for the operating year for approval at the August regular meeting. Expenditures in excess of the approved budget shall be authorized by the association at the next regular meeting or at any time by the Executive Board. The Executive Board shall have sole authority for the administration and execution of the budget upon approval of the budget by the membership. No revenues or expenses of the SMNW Cougar Football Booster Club will inure to the benefit of any individual member of the SMNW Cougar Football Booster Club. The President shall approve emergency expenses not included in said budget. Such emergency expenditures shall be limited to a maximum of \$200.00.

Section 3. A Financial Analysis Committee (2 persons plus the incoming Treasurer) shall be appointed by the President whose duty it shall be to analyze the SMNW Cougar Football Booster Club's banking accounts. Analysis frequency shall be determined by the Committee but at a minimum be completed every 3 years. The accounts to be analyzed include all accounts to which any deposits are made to, or disbursements are made from using funds generated by the Booster Club or granted to the Booster Club from outside entities such as the school, school district, private donations, etc.

ARTICLE XIII - INDEMNIFICATION

Section 1. Elimination of Certain Liability of Officers – An officer of the Booster Club shall not be personally liable to the Booster Club or its members for monetary damages for a breach of fiduciary duty as an officer, except for liability:

- a. For any breach of the officer's duty of loyalty to the Booster Club or its members;
- b. For acts of omissions not in good faith or that involve intentional misconduct or knowing violation of the law;
- c. For any transaction from which the officer derived an improper personal benefit.

Section 2. Indemnification of Officers - The Booster Club shall indemnify a person, to the fullest extent permitted by Kansas law, against all judgments, payments, settlement, fines, and any other reasonable costs and expenses (including attorney fees and amounts paid in settlement) actually and reasonably incurred by such person in connection with defense of any action, suit, or proceeding, which is brought or threatened in which such person is a party or is otherwise involved because he or she was or is an officer, and shall inure to the benefit of heirs, personal representatives, and administrators of that person, in the event such person is found not liable or not guilty of the allegations.

ARTICLE XIV - AMENDMENTS

These by-laws may be amended by a 2/3 vote of the total active members present at a regular meeting of the Booster Club. All proposed amendments are to be submitted first to the Review Committee for its recommendation and shall be submitted to the membership at the meeting preceding the meeting at which they are voted upon. Such amendments as voted under this process shall have immediate effect unless otherwise specified. The secretary shall provide printed copies to the membership.

In witness whereof, these bylaws have been approved by the membership this 22nd day of March, 2011.



President



Secretary