

Constitution and Bylaws of the Bennington Athletic Booster Club

Article I Name

The name of this organization shall be the "Bennington Athletic Booster Club", hereinafter referred to as the Booster Club.

Article II Purpose

The purpose of the Bennington Athletic Booster Club is to promote and support athletics at Bennington High School in an atmosphere that is consistent with the mission and purpose of the Bennington High School.

Article III Membership

Section 1: Membership shall be open to any person nineteen years of age, or older, who is interested in promoting athletic programs of Bennington Public Schools.

Section 2: Annual Membership dues shall be paid to the Booster Club Treasurer, with the amount of said dues to be determined by the Executive Board at the May meeting.

Section 3: The Bennington Booster Club will not discriminate on the basis of race color, creed, religion, national origin, ancestry, gender, sexual orientation, age or disability.

Section 4: Correspondence between members will be via the website, email and monthly meetings.

Article IV Officers

Section 1: The officers of the Booster Club shall consist of the President, Vice President, Secretary and Treasurer.

(a) Election. The officers shall be elected by a majority of the voting membership present at the April meeting. All elected officers and standing committee chairs shall be current members of the Booster Club.

(b) Nominations. The President, with concurrence of the Executive Board, shall present a slate of nominees (who have agreed to serve) for positions of officers with reasonable notice prior to the April Meeting. Additional candidates may be nominated from the floor at the April Meeting.

(c) Terms of Office. A term of one fiscal year, July 1 through June 30. An individual may not serve in the same elective capacity for more than four consecutive terms.

(d) Vacancy. The President, with the approval of the Executive Board, shall appoint any officer vacancy, other than the Presidency. A vacancy of the office of President shall be filled by a majority vote of the Executive Board at their first meeting after the vacancy occurs.

Section 2: The duties of Officers

(a) President. The President shall:

- (1) Preside over all regular and special meetings of the Bennington Booster Club and the Executive Board;
- (2) Sign all orders duly presented by the Booster Club
- (3) Appoint all committees and committee chairpersons.
- (4) Call special meetings as necessary to conduct the business of the Association.

(b) Vice President. The Vice-President shall:

- (1) Organize and be responsible for the membership drive.
- (2) To keep an accurate list of the current year's membership.
- (3) Assist the President in all activities and assume the duties of the president in his/her absence.

(c) Secretary. The Secretary shall:

- (1) Keep a complete record of the regular and called special meetings of the Bennington Booster Club and Executive Board. Provide upon request a copy of approved minutes to any Booster member.
- (2) Send notices of the meetings and shall be responsible for the general correspondence of the organization.

(d) Treasurer. The Treasurer shall:

- (1) Keep an accurate account of all money received and disbursed including cash boxes.
- (2) Be responsible for the deposit of all gross earnings into the Booster Club's checking account, and pay all bills upon authorization of the general membership and/or the Executive Board.
- (3) Issue appropriate receipts.
- (4) Keep an accurate list of all donations made to the Bennington Booster Club.

Article V Executive Board

Section 1: The affairs of the Booster Club shall be managed by its Executive Board. The Executive Board shall operate within the Constitution and By-Laws of the Bennington Booster Club. All Powers, responsibilities and duties of the organization not otherwise assigned by this Executive Board shall rest with the Executive Board.

Section 2: The Executive Board shall consist of the President, Vice President, Secretary, Treasurer, Athletic Director of Bennington High School, Clothing Chair, Concession Stand Chair & Two General Membership Representatives.

Section 3: The Executive Board shall conduct necessary business in the intervals between general membership meetings. The Board in cooperation with the Bennington High School Staff and with input from the general membership will develop goals and objectives for consideration of the general membership.

Section 4: No member of the Executive Board shall receive any salary or compensation.

Article VI: Meetings

Section 1: General membership meetings of the organization shall be held monthly during the school year. Members shall be informed of the date, time and location of meetings via email, social media and/or school announcements.

Section 2: Special meetings of the Executive Board may be called at any time by the President upon reasonable notice to each Board member.

Section 3: The Executive Board shall hold an Annual Meeting including all members, to be held during April of each year at such a place as shall be directed by the President.

Section 4: Transactions of business shall be decided by Executive Board members as described in Article V, Section 2 after a discussion with general membership in attendance at the meeting. A quorum for Executive Board Meetings shall be a simple majority of those present.

Article VII: Committees

Committees necessary for the proper operation of the Booster Club may be established by the President. All committees will be over seen by the Executive Officers.

(a) Concession Stand Committee: Responsible for the ordering and purchasing of items for sale in the concession stand.

(b) Volunteer Scheduler Committee: Organize volunteers for the staffing of the concession stands and other Booster Club activities.

(c) Clothing Committee: Order apparel and other Badger items. Coordinate and organize sales during games, online orders, etc.

(d) Athletic Awards Event Committee: Responsible for organizing athletic awards events.

(e) Sponsorship Committee: Responsible for soliciting sponsorship advertising donations from individuals, businesses, and organizations in the greater Bennington Community.

Article VIII Finances

Section 1: The Board may authorize any officers of the Booster Club to enter into any contract or execute and deliver any items in the name of and for the purposes of the Booster Club, and such authority may be general or confined to specific instances.

Section 2: All checks, drafts or orders for the payment of money, notes or other evidences of indebtedness issued in the name of the Booster Club, shall be signed by such officer or officers of the Booster Club in such manner as shall from time to time be determined by resolution of the Board.

Section 3: All funds of the Booster Club shall be deposited promptly to the credit of the Booster Club in bank or other reputed financial institution(s) as the Board may select.

Section 4: The Board may accept on behalf of the Bennington Booster Club any contribution, gift, bequest or devise for the general purposes or for any special purpose of the Booster Club. A letter that provides written assurance about the organization's tax exempt status and its qualification to receive tax-deductible charitable contributions will be sent to donors upon request.

Section 5: The fiscal year of the Bennington Booster Club shall begin the first day of July and end on the last day of June of each year.

Section 6: The Bennington Booster Club shall be a non-profit organization and no part of the net earnings of the Booster Club shall inure to the personal benefit or be distributable to, any of its members, officers or other private persons, except that the Booster Club shall be authorized to pay reasonable compensation for services rendered and to make payments and distribution in furtherance of the exempt purposes.

Section 7: Athletic Program Expenditures – A general fund for athletic program funding is available to all athletic groups and programs. Coaches must make an official written request through the Activities Director who, upon approval, will present the item(s) to the Booster Club membership. Requested items must be beneficial for the program(s) and/or remain with the school for an extended period of time. The Executive Board will have the final voting approval on all items requested through this fund.

Section 8: Concession Stand Staff Splits – A 40 (School Group) / 60 (Booster Club) split will be in effect with the school club/activity/group that staff the concession stand in cooperation with the Booster Club. A minimum of \$60 will be paid to the school club/activity/group staffing the concession stand the night of the event. The Executive Board determines which events will be available to the school club/activity/group to be staffed during the year. Non-school club/activity/groups can be approved to work the concession stand with approval from the Executive Board.

Section 9: Scholarships – A maximum total of \$2,000.00 will be available for the Athletic Booster Club Scholarship(s). The selection of appropriate nominees will be done based on written criteria available upon request from the Executive Board.

Section 10: The Treasurer at each monthly meeting will prepare and deliver to the Executive Board a Profit and Loss Statement for the previous month and a Profit and Loss Statement covering the current fiscal year. The Treasurer will also have a designated CPA, which is approved by the Executive Board, complete a Tax Return for the Booster Club for the previous Calendar Year. The CPA will be provided all financial information needed to complete that task including a Detailed Previous Year Profit and Loss Statement, and any other information requested by that CPA. (Finken & Associates, CPA in Bennington will serve as the accounting firm on file.)

No substantial part of the activities of the Bennington Booster Club shall be the carrying on of propaganda, or otherwise attempting to influence legislation, and the Booster Club shall not participate in or intervene in any political campaign on behalf of or in opposition to any candidate for public office.

Article IX Board Member Liability

The private property of Executive Board members shall not be subject to payment of the Booster Club debts or liabilities of any kind and each Board member shall be exempt from any liability whatsoever therefore and this provision of this Article shall not be subject to amendment or revision by operation of the law or otherwise.

Article X Waiver of Notice

Whenever any notice is required to be given under provisions of the Constitution of the By-Laws of the Booster Club, a waiver thereof in writing signed by the person or persons entitled to such notice, whether before or after the time stated therein, shall be deemed equivalent to the giving of such notice, whether before or after the time stated therein, shall be deemed equivalent to the giving of such notice.

Article XI Amendments to Constitution and By-Laws

This Constitution and By-Laws may be altered, amended or repealed and new By-Laws may be adopted by a majority of the Booster members present at any regular meeting or any special meeting, if at least ten days written notice is given of intention to alter, amend or repeal or to adopt new By-Laws at such meeting. The specific alteration or amendment shall be set forth in writing and given to each member of the Executive Board, as well as the entire membership, at the time that the above referred notice is served.

XII. Dissolution of Club

Should the Bennington Athletic Booster Club cease to operate, after paying or adequately providing for the debts and obligation of the Booster club, any remaining assets shall be distributed to Bennington Public Schools for the purposes set forth in Article II.

Adopted 1990

Revised February 2007

Revised November 2011

Revised November 6, 2014

Revised September 5, 2018