

**BY-LAWS OF
CLEAR FORK ATHLETIC BOOSTER CLUB**

As Ratified and Approved January 15, 2014

Amended March 16, 2016

ARTICLE ONE

Name

This organization shall be known as the Clear Fork Athletic Booster Club.

ARTICLE TWO

Objectives

This organization shall strive to meet the following purpose and objectives:

1. To organize, support and unify the fundraising needs of all high school team sports for the betterment of the community for expenses, including the improvement of equipment and facilities, as a supplement to the financial support provided by the Board of Education.
2. To promote the values of scholarship and character.
3. Generally, to have and exercise all rights and powers conferred on nonprofit corporations under the laws of Ohio, or which may hereafter be conferred, including the power to contract, rent, buy or sell personal or real property; provided, however, that the corporation shall not, to an institutional degree, engage in any activities or exercise any powers that are not in furtherance of the primary purpose of this corporation.

ARTICLE THREE

Board of Trustees

The governing body of the Clear Fork Athletic Booster Club shall be a Board of Trustees.

SECTION 1. Powers and Duties: All corporate powers of the Clear Fork Athletic Booster Club shall be exercised by and under the authority of the Board of Trustees.

SECTION 2. Number of Trustees and Qualifications: The number of Trustees constituting the Board of Trustees shall be no less than five (5) and no more than thirteen (13). The terms will run on a fiscal year basis.

The Board will be comprised of individuals who live within the local school district, graduated from or is a parent of a current or past school district student.

The number of Trustees may be increased or decreased by amendment to the By-laws.

SECTION 3. Terms of Office and Election: Each elected Trustee shall serve for a term of two (2) years. The Board of Trustees shall elect officers on a yearly basis. One-third of the Trustees shall be elected annually by a majority vote of the Trustees then in office. Nominations for Trustees may be submitted by a Nominating Committee or by individual board members.

The initial Board of Trustees shall hold office as follows:

President
Vice-President
Secretary
Treasurer

The initial terms of Trustees shall be determined when nominated. Trustees succeeding the initial Trustees shall then hold office for a term of two (2) years.

SECTION 4. Vacancies: Except as otherwise stated in these By-laws, any vacancy occurring among the elected members of the Board of Trustees shall be filled by a majority vote of the Trustees then in office. A Trustee elected to fill a vacancy shall be elected for the unexpired term of the predecessor.

SECTION 5. Compensation: No Trustee shall receive directly or indirectly any compensation for his/her services as Trustee. The Board may authorize reimbursement of reasonable expenses incurred by Board members in connection with the performance of their duties and responsibilities as a member of the Board.

SECTION 6. Limitation of Trustees' Liabilities: No Trustee shall at any time be held liable for any action or default of himself or his agent, or any other person, in connection with the administration of the Clear Fork Athletic Booster Club, unless caused by a willful commission by him of an act of such negligence that it breaches the most liberal standard of fiduciary care then prevailing in the State of Ohio.

SECTION 7. Removal: The Board of Trustees by a two-thirds vote, may at any time, at a meeting expressly called for that purpose, and after due notice to all Trustees, remove any Trustee for misconduct, malfeasance in office, or for good cause.

ARTICLE FOUR Members

This corporation shall have no members.

ARTICLE FIVE Officers

SECTION 1. Officers: The Clear Fork Athletic Booster Club will be comprised of the following officers: President, Vice-President, Secretary, and Treasurer, and such other officers that the Board of Trustees may from time to time appoint. Officers shall also serve as Trustees of the Board.

SECTION 2. Election and Term of Officers: Officers shall be elected annually by the Board of Trustees immediately following the election of Trustees. Vacancies may be filled at any meeting of the Board of Trustees. Each officer shall hold office until a successor has been duly elected and qualified, and each shall be eligible to succeed himself/herself in office.

SECTION 3. President: The President shall preside over the Board meetings and will prepare the agenda for each meeting. He/she shall conduct the meeting using parliamentary procedures and will see that the minutes of each meeting are accurately kept and approved by the Board. The President shall charge committees with their responsibilities and appoint Board members to serve on the various committees.

SECTION 4. Vice-President: The Vice-President shall preside over meetings in the absence of the President as the President would pursuant to the By-laws. The Vice-President shall act in an advisory capacity at all times. In case of a vacancy in the office of President, the Vice-President shall become President for the remainder of the unexpired term.

SECTION 5. Secretary: The Secretary shall keep accurate minutes of the Board meetings, be responsible for official correspondence of the Board, and maintain files for legal documents and

correspondence. He/she shall maintain roll call votes of motions made, which will be reflected in the Board minutes, unless the Board waives maintaining roll call voting information. The Secretary shall preserve a permanent file of all records and letters of value to the organization and its officers, and shall transfer all records to the successor upon expiration of the term in office.

SECTION 6. Treasurer: The Treasurer shall be responsible for initiating all financial transactions of this organization and shall maintain appropriate financial records and statements. He/she shall present a financial report at monthly meetings. The Treasurer shall present this organization's accounting records to a public accountant, public accounting firm, or a committee of three well-versed in general accounting principles for review. The Treasurer shall disburse checks in a timely fashion to creditors and be responsible for obtaining and delivering cash for change to person(s) responsible for fundraising activities. The Treasurer shall be responsible for timely deposit of funds and shall transfer the books to a successor within 30 days of expiration of term in office.

SECTION 7. Removal: Any officer may be removed at any time, for cause by a three-fourths vote of all Trustees then in office.

SECTION 8. Vacancies: Any vacancy occurring in any office of this organization shall be filled by the Board of Trustees.

ARTICLE SIX Committees

SECTION 1. Committees: This organization may have the following committees:

1. By-laws
2. Fundraising
3. Concession Operations
4. Scholarship

Committees shall function to facilitate the purposes of this organization and shall obtain information from a variety of sources, as they deem necessary, to make recommendations to the Board for its approval. Except as otherwise stated in the By-laws, the President shall appoint committee members and designate the Chairperson of the standing and other committees. Each committee shall keep minutes of its meetings and document its operating procedures. The standing committees are the Fundraising

Committee and other committees as needed. All standing committees shall be composed of a Chairperson and any individuals who accept voluntary appointment to such committees. It shall be the duty of each committee to administer the affairs of the committee in such a manner as to effectively carry out the functions for which the committee is intended.

SECTION 2. Fundraising Committee: The function of this committee is to promote the Clear Fork Athletic Booster Club in the community and to organize its fund-raising programs. The committee shall be responsible for seeking out and making contacts with individuals and organizations who may be interested in making donations to the Clear Fork Athletic Booster Club.

ARTICLE SEVEN Fundraising

SECTION 1. Funds required for the purposes of the Boosters shall be raised by donations and such other fundraising activities as the Boosters may undertake from time to time.

SECTION 2. Fundraising Policies:

- (a) All coaches and athletes are encouraged to participate in Clear Fork Athletic Booster Club fundraising activities.
- (b) The Clear Fork Athletic Booster Club will provide fundraising opportunities for all high school sponsored athletic programs, unless otherwise stated herein.
- (c) All coaches and athletes shall participate exclusively in Clear Fork Athletic Booster Club sponsored fundraisers for the purposes of raising funds for school sponsored athletic programs.
- (d) All proceeds from Clear Fork Athletic Booster Club sponsored fundraising activities will be deposited into the Clear Fork Athletic Booster Club account and disbursed for operations of the organization and to requests for funds approved by a majority vote of the Clear Fork Athletic Booster Club Board of Trustees.
- (e) Coaches, athletes or teams which do not comply with these guidelines or the CFAB By-laws in any manner can be excluded from, or result in a reduction in, that sport's yearly Budget Allocation, as determined by the Clear Fork Athletic Booster Club Board.

SECTION 3. General Fundraisers: Proceeds from this organization's fundraising events and activities go directly to the General Fund of the Clear Fork Athletic Booster Club. This money is to be used and distributed according to the By-laws of the Clear Fork Athletic Booster Club. Coaches and

athletes for all the Sports *must* participate in all general fundraisers. Participation in all the other events/activities is required as needed depending on the event's lead organizer. The current fundraising events include:

1. Concessions
2. Colt Cards
3. CFAB Golf Scramble
4. Booster Tent at Bellville Fair
5. Spring Mulch / flower fundraiser
6. 50/50 tickets

Events may change from year to year as determined by the Board.

SECTION 4. Concessions: Coaches and athletes are *not* required to work Concessions, but this activity must be fully supported by the Athletic Teams. This is the main way teams can help to raise monies for their Annual Athletic Team Funding budget.

SECTION 5. Review: The provisions of Article Seven, Sections 2, 3, and 4, shall be reviewed at least once a year for compliance and/or adjustment to the policies. The review should be a time to evaluate and improve the process for all involved.

SECTION 6. Team Feeding Policy:

- (a) The Boosters reserve the right to feed only those visiting teams that we play on a home and away basis and agree to feed our teams when we visit at their home location.
- (b) Feeding our team prior to or after a home or an away contest should be a decision determined by the current Booster officers and Board.

SECTION 7. Requests for Funds:

- (a) The Clear Fork Athletic Booster Club will accept requests for funds from the Athletic Director and Head Coaches of school sponsored athletic programs. Coaches will fill out reimbursement request forms, (Located in AD Office) and attach receipts. Upon approval of AD they will be forwarded to the CFAB. Requests for funds should be for the purposes of constructing or updating facilities, purchasing equipment and supplies, or other items that remain the property of the athletic program or athletic department, not an individual coach or athlete. Disbursement of funds require a majority vote of the Clear Fork Athletic Booster Club Board. Except for items from their yearly Budget Allocation.
- (b) Athletic Team Funding will be as follows.
 1. Coaches submit on an annual basis an itemized budget to the AD for booster funds needed. AD reviews and modifies budget request. Approved budgets are forwarded to the boosters before July 1st

2. CFAB Board of trustees will then vote on approval of forwarded items and then fund as needed and as funds allow.
 3. AD will forward coaches requests for funds (after AD approves them) to the boosters for either ordering, or for reimbursement. CFAB will order items through our vendor accounts or will reimburse approved items to the AD or Coaches.
 4. Boosters on an annual basis shall prepare a yearly Budget Allocation. Included in that budget will be lines items along with amounts for the following:
 - a. Senior gifts and awards. Senior athletes will receive (1) banner for display.
 - b. Uniform Allocation per rostered athlete. (Based upon last year's roster) This should pay for additional uniform expenses such as socks, belts, hats, etc.
 - c. Contingency allocation per rostered athlete. (Based upon last year's roster) This money is for the discretion of the head coach for items such as team food, team bonding, senior night food, etc.
- (c) Requests for funds to purchase "Conference Champion" t-shirts for varsity teams that win sanctioned conference championships will be limited to \$12.00 per shirt, up to a total of \$500.00 for only rostered players and coaches.
- (d) Secondary to the school athletic department administration availability of funds, requests for funds to cover properly documented expenses of head coaches attending coaching clinics or seminars (registration 100%, up to \$100.00 per day for lodging, meals and non-alcoholic beverages) require a majority vote of the Clear Fork Athletic Booster Club Board. Clinics need prior approval of AD before attending event.
- (e) Secondary to the school athletic department administration availability of funds, requests for funds to cover properly documented expenses of assistant coaches attending coaching clinics or seminars (registration 100%) require a majority vote of the Clear Fork Athletic Booster Club Board of Trustees

ARTICLE EIGHT

Meetings

SECTION 1. Meetings: Regular meetings shall be held at least quarterly. They shall be called by the President or any two Trustees.

SECTION 2. Notice of Meetings: Notice of Regular Meetings shall be given to Trustees a minimum of four days prior to the meeting.

SECTION 3. Quorum: A majority of all Trustees then in office shall constitute a quorum at all meetings. All actions of the Board of Trustees, except as otherwise provided for in these By-laws, shall be by a majority of the Trustees present and voting at the meeting. Trustees can vote by written proxy if he/she is unable to attend a regular or special meeting. Any Proxy vote must be submitted in writing prior to the meeting or no more than 48 hours after the meeting.

SECTION 4. Special Meetings: A special meeting of the Board of Trustees may be called upon written request of the President, or any two Trustees. Notice of such special meeting shall be given in writing to the Trustees not less than three days before such special meeting.

ARTICLE NINE
Execution of Documents

SECTION 1. Execution of Instruments: All documents, instruments, or writings of any nature shall be signed by the President in his/her capacity, and shall be verified, acknowledge or otherwise attested to by the Secretary.

SECTION 2. Financial and Investment Instruments: All financial and investment instruments of the Clear Fork Athletic Booster Club shall be signed by the President and/or the Treasurer to affect their negotiation, as approved and directed by the Board of Trustees.

The President and Treasurer shall sign all checks greater than \$1,500.00. Only one signature is required for checks of \$1,500.00 or less.

ARTICLE TEN
Investments

The Clear Fork Athletic Booster Club is interested in the preservation of investment principal and the maximization of current income. There are risks in any investment program, including the risk of changing economic and market conditions, and there is no assurance that the Clear Fork Athletic Booster Club will achieve its investment objective.

SECTION 1. Investment Objective: The investment objective of the Clear Fork Athletic Booster Club is to protect the principal amount of funds raised from fundraising activities, as well as to provide long-term growth of capital and, secondarily, long-term growth of income.

SECTION 2. Investment Strategy: The Clear Fork Athletic Booster Club will maintain a diversified investment portfolio, as finances allow.

ARTICLE ELEVEN
Indemnification

Every person who is or has been a trustee or officer of the Clear Fork Athletic Booster Club shall be indemnified by it against expenses and liabilities reasonably incurred by him or her in connection with either:

1. Any action, suit or proceeding to which he or she may be a party defendant, or
2. Any claim of liability asserted against him or her by the reason of his or her having been a trustee or officer of the corporation.

Without limitation, the term “expense” shall include any amount paid or agreed to be paid in satisfaction of a judgment or in settlement of a judgment or claim of liability other than any amount paid or agreed to be paid to the corporation itself. The corporation shall not, however, indemnify any trustee or officer in respect to matters as to which he or she shall finally be adjudged liable for negligence or misconduct in the performance of his or her duties, neither as such trustee or officer nor in the case of a settlement unless such settlement shall be found to be in the interest of the corporation by:

1. The Court having jurisdiction of the suit involving his or her right to indemnification, or
2. A majority of the trustees then in office other than those involved (whether or not such a majority constitutes a quorum), or, if there are not at least two trustees of the corporation then in office other than those involved, by majority of members, provided that such indemnity in case of a settlement shall not be allowed by such trustee or members unless it is found by independent legal counsel that such settlement is reasonable in amount and in the interest of the corporation.

ARTICLE TWELVE
General Provisions

SECTION 1. Report To Trustees: The President shall furnish a written report annually to all Trustees of the Clear Fork Athletic Booster Club.

SECTION 2. Fiscal Year: The fiscal year of the corporation, which begins January 1, shall apply to the Clear Fork Athletic Booster Club’s programs.

SECTION 3. Annual Audit: The books of the Clear Fork Athletic Booster Club shall be audited annually, on a calendar year basis. Copies of each audit shall be filed with the Board of Directors and made available for public inspection.

SECTION 4. Bond For President/Treasurer: The President and Treasurer of the Clear Fork Athletic Booster Club, in the performance of assigned duties and responsibilities, are in charge of the funds of the Clear Fork Athletic Booster Club. The President and Treasurer shall be bonded annually, and such bond shall be in an amount set by the Board.

SECTION 5. Rules: Robert's Rules of Order (most recent edition at date of use) shall be the parliamentary authority for all matters of procedure not specifically covered by these By-laws or by other specific rules of procedure adopted by the Trustees of the Clear Fork Athletic Booster Club.

ARTICLE THIRTEEN Amendments

These By-laws and the Articles of Incorporation of the Clear Fork Athletic Booster Club may be amended or repealed, or new By-laws adopted, by an affirmative vote of two-thirds of all persons serving on the Board of Trustees, provided that the notice of the intention to amend, repeal or make additions to the Articles of Incorporation or By-laws is contained in the notice of the meeting.

ARTICLE FOURTEEN Dissolution of Non-Profit Corporation

Upon the dissolution of the organization, assets shall be distributed for one or more exempt purposes within the meaning of Section 501(c)(3) of the Internal Revenue Code, or 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 disposed of shall be disposed of by the Court of Common Pleas of the county in which the principal office of the organization 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 purpose.

All previous By-laws, policies and procedures are incorporated, approved, ratified, confirmed and adopted and are amended herein as set forth.

IN WITNESS WHEREOF, we have hereunto subscribed our names this _____ day of _____, 20_____.

President

Secretary

Treasurer