

# *West Millbrook Middle School Booster Club - Bylaws*

## **ARTICLE I**

The name of this organization shall be "West Millbrook Middle School Booster Club", (**WMMS BOOSTER CLUB**) a non-profit organization formed under and by virtue of the laws of the State of North Carolina, as contained in Chapter 55A of the General Statutes of North Carolina entitled "Non Profit Corporation Act", as amended. The North Carolina incorporated number for this association is 35-2344100.

## **ARTICLE II: PURPOSE**

To promote and encourage academic and extra curricular athletic school activities, community involvement, maximum student involvement and to provide financial aid to sports enhancing the school program at West Millbrook Middle School.

## **ARTICLE III: MEMBERSHIP**

**Section 1:** Persons who are interested in the total athletic program of West Millbrook Middle School.

**Section 2:** Membership in the organization shall be available without regard to race, age, creed, national origin, gender, or physical capability.

**Section 3:** There will be annual membership categories for the Club, to be determined at the last regular meeting of each year. Dues for the above membership categories may be increased or decreased by the executive board and a majority vote of the general membership present at a regular scheduled meeting. A card will be issued to all active members.

**Section 4:** All active coaches, the Principal, the Assistant Principal (s), and the athletic director shall automatically be considered ex officio members of WMMS BOOSTER CLUB.

## **ARTICLE IV**

**Section 1 - OFFICERS:** Officers and executive board shall consist of a President, Vice President, Secretary and Treasurer. Such positions may be combined with the President and Vice President as different positions.

**Section 2 - ELECTION OF OFFICERS:** Election of officers shall take place at the annual meeting of WMMS BOOSTER CLUB starting approximately one year after the founding date and shall continue annually. The slate of officers shall be presented to the membership at least one month prior to the election meeting. The proposed slate shall be nominated by a nomination committee, hereafter defined, and the committee may nominate more than one proposed officer for each position. The full slate as nominated by the nominating committee must be accepted by the executive board and presented and voted upon at the election meeting. The floor shall be open for nominations at the election meeting.

**Section 3 - NOMINATING COMMITTEE:** The nominating committee shall be appointed by the President and shall consist of five (5) members.

**Section 4 - TERMS:** The terms of the officers shall be one year and not more than three consecutive terms in the same office.

**Section 5 – VACANCIES:** Vacancy in any elected office shall be filled by a presidential appointment with approval by a majority vote of the general membership present at a regularly scheduled meeting, except in the case of the President. A presidential vacancy shall be automatically filled by the Vice President. Any replacement board member shall serve the remainder of the unexpired term to which appointed. Board vacancies should be filled at the next regular membership meeting.

**Section 6 – ELIGIBILITY:** Only regular members with current dues paid and in good standing shall hold office or vote in elections.

**Section 7 – VOTING:** Voting shall be a secret ballot at the election meeting. There shall be an election committee of three (3) appointed by the President on the day of the election.

The President, with the consent of the nominating committee, may forego the secret balloting and call for election by voice if it deems that the electors are clearly in favor of such a procedure.

The duty of the election committee shall be to pass out the ballots, collect the ballots, count them and the chairman of that committee read the final count to the membership. In the event there is more than one person nominated for any office, whoever wins the simple majority of votes cast shall be deemed winner of the election.

In the event there is but one nominee for any particular office, and that nominee does not receive the majority votes of the voters present, then the office shall be referred back to the nominating committee for a new nominee to be presented and voted upon at the next regular meeting.

**Section 8 – INSTALLATION:** Installation of officers shall be at the annual meeting at which time the new officers shall take over their duties.

**Section 9 - ANNUAL MEETING:** The annual meeting of WMMS BOOSTER CLUB shall be held in May. At the annual meeting, all annual reports shall be received, and the old officers, retiring board, newly-elected officers, and the new board, if organized, shall hold a joint session. At the joint session, the retiring officers and board will transfer all books and papers in their possession and belonging to the new administration.

## **ARTICLE V: DUTIES OF OFFICERS**

**Section 1 – PRESIDENT:** It shall be the duty of the President to preside at all regular and special meetings and board meetings. The President shall perform all of the duties of the office: shall appoint all committees and committee chairpersons, and shall be an ex officio member of all committees except the nominating committee. The President shall have meetings with the school Principal and the Athletic Director as required.

**Section 2 - VICE PRESIDENT:** It shall be the duty of the Vice President to aid the President in appointing all committees, committee chairpersons and team representatives involved with projects undertaken by the WMMS Booster Club. Team reps will be an adult representative from each team, and must be a paid WMMS Booster Club member. The Vice President shall also coordinate all activities of these committees, and act in place of the President in his/her absence.

**Section 3 – SECRETARY:** It shall be the duty of the Secretary to keep a record of all regular and special meetings and all board meetings. It shall also be the duty of the Secretary to maintain a procedure book. This book will be a record of the activities compiled into a permanent form. The Secretary will provide to the Principal, officers, and board, a copy of the minutes within two weeks of the meeting. The

Secretary is to conduct the correspondence and also to keep a list of the member's current addresses, and send special letters unless otherwise provided for in the standing rules.

**Section 4 – TREASURER:** It shall be the duty of the Treasurer to receive all monies due to WMMS Booster Club and deposit same in a place approved WMMS Booster Club. The Treasurer shall disburse funds of WMMS Booster Club only for the purposes approved by WMMS Booster Club. The Treasurer shall present a statement of account at all meetings and shall make a full report at the annual meeting. The financial records shall be audited by an independent auditing agency, or school bookkeeper; annually, prior to April 15th. All disbursements, \$500 or greater, made from WMMS Booster Club shall be signed by two (2) officers, one of which is to be the treasurer.

#### **ARTICLE VI: BOARD**

**Section 1:** The board shall consist of the officers, committee chairs from the following committees: Sponsorship, Programs, Concessions, Ways & Means, Membership, Volunteer and others as assigned. Additional members of the board shall be the Principal, or their designee and the Athletic Director.

**Section 2:** The duties of the board shall be:

- a. To approve the slate of officers nominated by the nominating committee
- b. To transact necessary business in the intervals between WMMS Booster Club meetings and such other business as may be referred to it.
- c. To approve the plans of work of the standing committee
- d. To prepare and submit to WMMS BOOSTER CLUB membership, a budget for the school year. The budget will be presented at the August meeting and adopted by a majority of the board members present at the September meeting. All modifications to the budget and appropriation of funds shall be adopted by a majority vote of the board, with a quorum present, in concurrence with the Principal, or their designee.

All approvals and modifications to the budget, and appropriation of funds must be in concurrence with the Principal or Athletic Director, and/or their designee.

- e. To approve appropriations of funds,

**Section 3:** Regular meetings of the board shall be held monthly, and may be held in conjunction with the general meeting, the time to be fixed by the President. Three (3) board members shall constitute a quorum for the transaction of business at any meeting for the first year of activities, thereafter; seven (7) members shall constitute a quorum for the transaction of business at any meeting. Special meetings of the board may be called by the President or by a majority of the members of the board.

#### **ARTICLE VII: MEETINGS**

**Section 1:** General meetings of WMMS BOOSTER CLUB shall be held monthly at West Millbrook Middle School during the school year, unless otherwise provided by the executive board, five (5) days notice having been given.

**Section 2:** Special meetings may be called by the executive board, twenty-four (24) hours notice having been given.

**Section 3:** Any business presented by the membership shall be adopted by a majority vote of the board, with a quorum present, in concurrence with the Principal, or their designee.

#### **ARTICLE VIII: STANDING and SPECIAL COMMITTEES**

**Section 1:** The President shall create committees as necessary to promote the objectives and to carry on the work of WMMS BOOSTER CLUB.

**Section 2:** The President shall be a member ex officio of all committees except nominating committee.

#### **ARTICLE IX: PROPERTY RIGHTS**

**Section 1:** Membership in this Club shall not title or vest any of the members with any property rights or rights having monetary value of any kind whatsoever, including but not limited to, property rights or monetary rights in the school or in the Club.

**Section 2:** All purchases will become property of the Wake County School System for use at West Millbrook Middle School Athletic Department.

**Section 3:** No part of the net earnings of the organization shall be used to the benefit of its members, directors, or other persons except that the organization shall be authorized and empowered to pay reasonable compensation for services rendered and to make payments and distributions, in furtherance of the exempt purposes of the organization.

#### **ARTICLE X: RELATIONSHIP WITH SCHOOL PRINCIPAL AND ATHLETIC DIRECTOR**

**Section 1:** WMMS BOOSTER CLUB serves to support the school's athletic program and in no way interferes with direction of policy established by the school Principal or Athletic Director.

**Section 2:** WMMS BOOSTER CLUB shall under no circumstances interfere with the organization or operations of West Millbrook Middle School, the coaching staff, or its functions.

**Section 3:** WMMS BOOSTER CLUB shall communicate with the school Principal in regards to the funding of capital outlay projects for the school. WMMS BOOSTER CLUB shall follow the normal channels concerning capital outlay projects. The normal channels are: Principal or designee, county coordinator of athletics, director of secondary education, and the Superintendent of the Wake County School System.

**Section 4:** The activities conducted by WMMS BOOSTER CLUB shall not be in violation of local school policies or the Wake County Board of Education policies.

**Section 5:** WMMS BOOSTER CLUB shall not incur any kind of financial obligation in the name of the school or the Wake County School System.

**Section 6:** WMMS BOOSTER CLUB shall not violate any local, state or federal laws of any kind.

**Section 7:** If at any time WMMS BOOSTER CLUB is to disband, all moneys and all properties shall be donated directly to the WMMS Athletic Department.

#### **ARTICLE XI: FUNDRAISING**

**Section 1:** Students shall not participate in door to door sales. The following disclosure shall be included on all fundraising documents created by WMMS Booster Club which are provided to parents and students:

"It is the policy of the Wake County Public School System, West Millbrook Middle School, and the WMMS Booster Club that children shall not engage in door-to-door sales. Therefore we urge you to comply with this policy by ensuring that your child is not allowed to solicit sales in person unless he is accompanied by you or some other person of suitable age and discretion."

**Section 2:** The WMMS Principal shall approval all activities, fund-raising, etc, before planning any such function in which students, under the jurisdiction of the school system are to participate.

**Section 3:** After approval by the WMMS Principal, proposed school-sponsored fund-raising projects shall be submitted annually to the area assistant superintendent for approval.

**Section 4:** 100% of all fundraising and activity profits after payment for goods required for the fundraising and other required products including office supplies (printing, paper, signs, etc) and any incentive awards, shall be used by the Athletic Directors and Principals digression.

**Section 5:** When possible, all items sold by the WMMS Booster club shall be obtained as consigned goods.

**Section 6:** Any items purchased by WMMS Booster Club shall be the property of WMMS Athletic department. All items shall be kept and maintained for the use for which it was obtained. If items are in excess of their selected requirement, such items shall be returned for reimbursement or shall be kept for future activities.

**Section 7:** Purchases of over \$500 shall require prior approval by the WMMS Principal and/or Athletic Director.

**Section 8:** Products sold by adults or children on behalf of the WMMS Booster Club, shall not reflect unfavorably upon the school, school system, or sponsoring parent group and is appropriate for the age of the children involved, even if the children do not participate in the actual sales campaign.

**Section 9: Incentive items:** Incentive programs do not award prizes that are of a size and/or value which would be inappropriate, but rather emphasize broad participation and school/community spirit. Incentive programs and products sold do not tend to criticize or belittle nonparticipating students, but only recognize and reward efforts and achievement.

#### **ARTICLE XII: VOLUNTEERS**

All volunteers, acting on behalf of WMMS Booster Club, shall follow all WMMS, and Wake County Public School System, rules and regulations required for Volunteers, including registration at the school office during school hours.

#### **ARTICLE XIII**