

**Bobcat Football Booster Club, Inc.**

**By-Laws**

**&**

**Constitution**

**July 2008**

**Revised on June 18<sup>th</sup>, 2020**

**BY-LAWS  
BOBCAT FOOTBALL BOOSTER CLUB, INC.**

**Amended June 18<sup>th</sup>, 2020**

**ARTICLE I: ORGANIZATION**

**Section 1: Name**

The name of the athletic organization will be “Bobcat Football Booster Club, Inc.”, and will be hereafter referred to as the “Booster Club”.

**Section 2: Purpose**

Bobcat Football Booster Club, Inc. is organized exclusively for charitable and educational purposes under 501 (c) 3 of the Internal Revenue code of 1986, or corresponding section of any future federal tax code.

The purpose of the Bobcat Football Booster Club, Inc. is to provide support and encouragement to the athletic, academic and personal achievements of the “West Broward High School Football Team. The Booster Club will assist with the promotion of afterschool and summer educational programs to sponsor, compliment, and further advancement of the West Broward Football Team students, and support the efforts and direction of the West Broward High School Football Team Head Coach.

The organizational purpose is to organize students enrolled in the High School Football program, into an after school “football team” extension program developed by the Booster Club to provide additional instruction, coaching, practice, and practical experience, to build self confidence in each student and to prepare the football team students to compete with other high schools, and to prepare the students to pursue college scholarships as a result of their high school accomplishments.

**ARTICLE 2: BOARD OF DIRECTORS**

**Section 1:**

The Board of Directors will be hereafter referred to as the “Board”. The Board shall be composed of minimum of 3 elected Officers of the membership. The Officer’s term shall be for 365 days.

**Section 2:**

General Elections are held during the Booster Club’s meeting in Spring, the exact date is to

be determined by the President. All Booster Club Members in good standing will be eligible to vote as stated in Article Section 4 (Quorum).

**Section 3:**

From time to time, as deemed necessary by the Booster Club, the Board may appoint a “Committee Coordinator” to serve a specific purpose of conducting certain programs, research or study, or accomplish certain tasks and to report back to the Board, at which time the Committee Coordinator’s task and responsibility shall dissolve unless requested otherwise, and authorized by the Board.

**Section 4:**

Any Booster Club parent member may attend the meetings of the Board of Directors where items may be voted upon. For the exception of the elected officers (the Board), all other attendees are observers only, unless otherwise authorized by the Board.

**Section 5:**

A Fidelity bond shall be required for all Board Members.

**ARTICLE 3: OFFICERS**

**Section 1:**

The Officers who comprise the Board as provided in ARTICLE 2, Section 1, of the Booster Club, shall be the President, Treasurer and Secretary. Additional officers can be voted upon by the General Membership as long as it equals to an odd number of voting executive board members.

**Section 2:**

Officers shall be elected by the membership as provided in ARTICLE 2, Section 2,

**Section 3:**

The authority and responsibilities of each Officer is outlined as follows:

**President:**

Shall preside at all Booster Club meetings, and shall be responsible for the agenda for such meetings.

Is authorized to act in the name of the Booster Club when directed by the Board.

Is authorized to sign correspondence in the name of the Booster Club and must provide the Secretary with a copy of all such correspondence.

Shall be the official liaison between the Booster Club and West Broward High School’s Athletic Director, and its football coaches.

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### **President continued:**

- Shall vote on issues at Board meetings only if a vote is needed to break a tie.
- Shall sign all contracts pertaining to the Booster Club business or activities. Contracts shall be signed in the following manner: “Bobcat Football Booster Club, Inc. by: Name of the President. A copy of said contract must be given to the Treasurer.
- Must have proof of all Booster Club expenditures with receipts and receive monthly report from the Treasurer.
- Shall create committees necessary to accomplish the Booster Club’s business.
- Shall call and schedule all regular and special meetings of the membership and the Board as specified herein.
- Shall serve as parliamentarian on all issues (must be familiar with “Roberts Rules of Order”). President has authority to assign a “Sergeant-At-Arms” for each meeting unless a board member has been voted in to serve as Sergeant-At-Arms.
- Shall be responsible for the execution of decisions, agreements and other programs approved or adopted by the Booster Club Board.
- Shall consult with and discuss any plan of action with the Board before making any decisions on behalf of the Board of Directors.

### **2. Secretary:**

- Shall record ALL the minutes of the Booster Club meetings.
  - Shall provide a membership attendance in minutes
  - Shall provide a membership sign-in sheet at every meeting, and keep on file as official records.
  - Shall deliver via email, a copy of any meeting minutes to the Board of Directors within four days after said meeting.
  - Ensures that the approved by-laws, and a Booster Club membership list is available on the website at every Board of Directors and General meeting.
  - Shall be responsible for presenting filed minutes at all official meetings.
  - Shall send out notices and reminders to all Booster Club Board of Directors, parents, and interested parties of scheduled Board, regular, special, and membership meeting unless such is posted on Booster website.
  - Shall maintain and update the “player” and Parent email distribution sheets, and share and confirm information with the President.
- The Recording Secretary will serve as the second signatory of the Booster Club bank account. Must review and study Article #14)

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### **3. Treasurer:**

Shall prepare a proposed operating budget to be approved by the Board of Directors, and the general membership.

Shall maintain all financial procedures developed and approved by the Board of Directors.

Shall be responsible for the maintenance and receipt of all funds according to financial procedures.

Shall be responsible for receiving and recording all funds received by the Booster Club funds according to approved financial procedures.

Shall be responsible for tracking disbursement of all Booster Club funds according to approved financial procedures.

Shall be responsible for disbursement of petty cash.

Shall be responsible to maintain an electronic “general ledger” bookkeeping system, such as Quickbooks in order to record all incoming and disbursements on a monthly basis, according to approved financial procedures.

Shall prepare and provide financial reports to the President in advance of each meeting.

The report should include an “Income and Expense” report, a budget report, and a balance sheet statement also referred to as a “Fund balance statement”.

Shall reconcile the bank statement on a monthly basis upon receipt from the bank.

Shall maintain accurate records to ensure all membership fees have been collected.

Shall maintain accurate records to ensure all membership fees have been collected, and that the total number of Booster Club members reconcile.

Shall coordinate execution of proper forms (W-9) for the hiring of sub-contractors and must file 1099 and 1096 tax forms at the end of the calendar year (December) on a timely fashion, no later than January 31.

Shall coordinate preparation of fiscal year annual tax reports. A 990N, 990EZ, or 990 tax report must be filed with IRS no later than five months after the fiscal year. Depending on the amount of income earned for the fiscal year, the Treasurer will make a recommendation to board if an outside source should prepare the annual tax reports.

Shall send tax contribution letters to individual donors no later than January 31st.

Shall budget at least \$1,000.00 in the event annual tax reports need to be prepared by a public tax accountant.

Shall prepare and up-date annual charitable license.

Shall coordinate annual financial audit for the Booster Club according to approve financial procedures.

Shall impose a charge (minimum \$35.00) for returned checks. Must notify the parties involved in an attempt to recover the returned check amount, plus additional fees charged by the bank.

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### **Treasurer continued:**

Shall close the Treasurer's accounting books as of June 30<sup>th</sup>, and provide all Treasurer's records to the audit review committee Coordinator, as soon as the June bank statements is received and reconciled per financial policies.

Shall maintain an annual Treasurer's binder that will include the following documents:

- Copy of Articles of Incorporation, and any modification.

- Copy of SS-4 Federal identification number application and a copy of approval from IRS.

- Copy of sales tax exempt application, and approval letter.

- Copy of approved charitable license and application.

- Copy of annual IRS reports 990EZ, etc.

- Copy of W-9 form and annual 1099 and 1096 reports.

- Copies of monthly financial budget reports.

- Copies of monthly bank statements.

- Copies of any executed contract.

- Copies of Membership reports.

- Copies of annual audit reports.

### **Section 4: Quorum**

Three Members of the Board of Directors are a quorum for any board meeting.

Each Member of the Board of Directors shall have one vote, excluding the President who only votes in the event of a tie vote as stated previously under Article 2, Section 1B.

Votes by the membership are limited to one per paid member.

When voting during board meetings or general membership meetings, majority votes is required for an item to pass.

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### **ARTICLE 4: NOMINATIONS AND ELECTIONS**

Only those individuals that are members of the booster club and in good standing shall be eligible for nomination. Nominations must be made by individuals that are members of the booster club and in good standing. A member that is considered to be in “good standing” is one whose membership dues are current, if applicable and abides by these by-laws.

The Officers of the booster club shall be elected by majority vote.

Each of the Officers shall be elected for a term of one year upon approval of the majority vote of the general membership at the Spring meeting of the booster club.

Officers shall deliver to their successors all official material no later than ten days following the election of their successors.

- e. A vacancy in any office because of death, resignation, disqualification or otherwise may be appointed by the President and/or the Vice -President at the next scheduled meeting for the unexpired portion of the term. Notice of such appointment having been given to the general membership. The appointed party must be approved by the membership at the next general meeting.

### **ARTICLE 5: REMOVAL OF OFFICERS/DIRECTOR(S) AND MEMBERS**

An Officer or general member may be removed from their status at any time with good cause. “Good Cause” is defined as the following:

An Officer may be removed from their position if two (2) unexcused absences are incurred consecutively. (i.e.: failure to notify the President in advance that a meeting will be missed, “no show”).

An Officer or general member may be suspended or expelled from the booster club for failure to comply with the by-laws of the booster club, and any rule or practice duly adopted by the membership of the booster club.

Any Officer or general member may be suspended or expelled from the booster club for any conduct likely to endanger the welfare, interests or character of the booster club.

The Athletic Director and/or the Administration of WBHS must be notified in writing, of any misconduct or failure to abide by the by-laws and any rule or practice duly adopted by the membership and/or the desire to have the member, Officer or

Director expelled or suspended from the Booster Club.  
Immediately upon resignation, suspension or termination, all rights and privileges of membership or position held shall cease.  
If the Treasurer or Secretary resign, are terminated or suspended, he/she will turn over all books, financial records, and any other pertinent documentation to the President of the board.  
Upon termination or suspension of the Treasurer, the books of the Treasurer must be audited immediately.

## **ARTICLE 6: MEETINGS**

### **Section 1: Place of Meetings**

The meetings of the Board of Directors and members of the Booster Club shall be held in Broward County, Florida, at a place designated by the Board of Directors.

The Booster Club will hold at least two (2) general membership meetings during the school year.

The Board of Directors shall meet as many times as necessary.

Special meetings of the Booster Club may be called at the discretion of the President as long as quorum of Officers is present (See section three (3) for definition of a quorum).

### **Section 2: Order of Business**

The order of business at all meetings of the booster club shall be as follows:

Roll call of the Board of Directors.

Distribution, Review and Approval of the minutes by the Recording Secretary

Financial Reports by the Treasurer

Report from the Coach (if applicable)

President's Report

Unfinished Business

New Business

Adjournment



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### **ARTICLE 7: WEBMASTER DUTIES AND RESPONSIBILITIES**

The Webmaster must be a member of the Booster Club. The Webmaster will be appointed by the President. The Webmaster must be a member of the Booster Club. The webmaster can be an executive board member if elected in (Reference Article IV) but is not required to be on the executive board. In the event that a webmaster is not voted onto the executive board, then the President will appoint a webmaster from the general membership.

The Webmaster shall be responsible for maintaining and updating the website.

Shall obtain information to be distributed through the website from the booster club officers and/or the Head Football Coach.

Must have prior approval from the President before posting and information on the website.

- a. Forward all emails that pertain to the booster club to the officers for viewing. In addition, will also forward any and all emails addressed to any of the Board of Directors, coaches, or Booster Club members.
- b. The executive board members and webmaster will be the only persons that will possess a username and password for the website. The webmaster will be the primary password holder for the website. Passwords and usernames can and will be changed as often as deemed necessary.
- c. A release permitting the posting of photographs and/or any written information must be obtained from the parents of any athlete prior to posting the material on the website. The Secretary shall keep copies of the releases in the Booster Club Notebook and keep record of releases for future reference.

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### **ARTICLE 8: MEMBERSHIP AND DUES**

Membership in the booster club shall be available to any individual who subscribes to the objective of the booster club without regard to race, color, creed or national origin under such rules and regulations not in conflict with the provisions of these by-laws.

A member in good standing of this booster club is one who abides by these by-laws, who have paid their current membership fee (if applicable).

Each member of the booster club shall pay an annual membership fee if set annually by the Board of Directors of the booster club.

The membership of the Booster Club shall be from July 1st to June 30th

Interested persons may be admitted to membership at any time.

The privilege of voting, debating, introducing motions, and holding a position as an officer shall be to members in good standing of the booster club.

### **ARTICLE 9: AMENDMENTS**

The by-laws of the Booster Club may be amended at any time and from time to time at any Board meeting of the Booster Club. Amendments must be read at one (1) meeting, prior to the vote. Two-thirds (2/3) of majority members present must approve any amendments.

### **ARTICLE 10: REVISIONS**

Any revision made within the above said articles, after approval, are to be added in; the revised section re-typed, with the date shown on the cover page and also on the last page of said by-laws. All pages will be properly numbered in sequence with the cover page considered page one (1). The date will be the actual date in which any revisions are to become valid.

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### **ARTICLE 11: ARTICLES OF INCORPORATION**

The articles of incorporation may not be amended without prior approval of the Board of Directors of the Booster Club at any scheduled meeting.

- a. The registered agent of the corporation may be changed as needed by the officers and director(s) of the booster club. The selection of a registered agent will be determined by a vote of the Board of Directors of the Booster Club at any scheduled meeting.

### **ARTICLE 12: GENERAL PROVISIONS**

**Books and records:** Any Booster Club member in good standing as defined in Article 8, and the Athletic Director of the Administration of WBHS with reasonable notification having been given, may inspect all books and records of the Booster Club.

**Fiscal Year:** The fiscal year of the corporation will begin on the 1st day of July and end of the 30<sup>th</sup> day of June.

**Seal:** The Booster Club will not use a corporate seal.

**Robert's Rules:** Robert's Rules of Order will govern all meetings.

**Compensation:** Board of Directors may not receive any compensation for their services as officers of the Booster Club.

The Booster Club shall be noncommercial, nonsectarian and nonpartisan.

Criticism of individual teachers, administrators, coaches or Booster Club Officers shall not be tolerated in open meetings.

The club will dissolve when and if the West Broward High School Football Team no longer exists or if the executive board votes for dissolution with majority vote.

If the Booster Club dissolves, all money left in the Booster Club account will be turned over to the West Broward High School General Fund to be used for the football team.

If no football team exists, it shall be used for other athletic team expenses.

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### **ARTICLE 13: COMMITTEES**

The executive board is responsible for creating committees necessary to accomplish the work and goals of the Booster Club.

#### **Suggested Ad-Hoc Committees are:**

**Fundraising:** The committee shall be in charge of developing fundraising ideas and activities. All funds collected shall be accounted for according to “deposit” procedures in the financial procedures.

**Field Crew:** This committee is responsible for care and maintenance of all Team football equipment and supplies.

**Pre-Game Meals:** The Pre-Game meals committee is responsible for planning, ordering, and serving meals on game days, football camp, summer camp, and competitions, as needed.

**Banquet:** Committee assist in planning, organizing the end of the year banquet.

**Special Events:** Committee shall be responsible for parent and students at special events

**Audit Committee:** Committee shall be responsible for auditing the books at the end of every fiscal year.

**Budget Committee:** Committee shall be responsible for setting up a budget for the fiscal year.

### **ARTICLE 14: FINANCIAL PROCEDURES**

#### **Section 1: Collecting and Depositing of Funds Received**

A Deposit Voucher has been developed for recording Cash-Check receipt of all Booster Club funds. Funds received must be counted by two persons at all times. The “Cash-Check Deposit Voucher” must be filled out accordingly, listing the number of checks, and cash received by denomination. A valid receipt is to be provided for each transaction. This can be done in many ways, for example: pre-printed receipts; a memo format; a letter format; flyer format; or membership card, etc.

The Cash-Check Deposit Voucher must be signed and dated by the two persons who counted the funds. The Treasurer must always sign to confirm receipt of funds. The Treasurer can also be the second person counting at any time.

If the Treasurer is not present at any given cash count, she/he is to be contacted, and advised that a deposit is ready for pick-up. If the Treasurer is not available, any other bonded elected officer must be contacted to arrange for pick-up of the Booster Club funds. Booster Club funds are not to remain on campus overnight.

Using a bank deposit voucher, the Treasurer will record the funds received in the general ledger accounting system, and the check book stub, a bank deposit slip is to be prepared and taken to the bank. The Treasurer must attach the original bank deposit with bank date to the “Cash-Check Deposit Voucher”.

## **Section 2: Expenditures**

All expenditures must be approved by majority vote of executive board members present at board meetings or a majority vote of all executive board members if voted on through electronic communication between board meetings. A check request form must then be completed and signed by the President and Treasurer.

No executive board members should make a payment to themselves.

Once the check has been issued to the vendor, the original vendor invoice must be stamped “**PAID**” in order to cancel-out the invoice. This is done to protect against duplication of invoices.

The approved expenditure amount and purpose must be recorded in the check stub, and posted to the general ledger in the accounting system. The check request form must be marked “**POSTED**” to indicate it was posted in the general ledger. The approved check request with the original invoice must be filed in monthly file folders in chronological order by the check number or date of payment.

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### **Section 3: Annual Tax Reporting**

At the end of the Booster Clubs fiscal year (June 30<sup>th</sup>) the Treasurer must make arrangements for the reporting of the Federal Tax Reports.

The federal tax report must be submitted to IRS no later than the fifteenth (15<sup>th</sup> the fifteenth day of the fifth (5) month of the fiscal year (November 15<sup>th</sup>)

In the event of an emergency in preparing the annual tax reports, form 8878 can be filed to request a onetime automatic three-month extension of time.

The Board of Directors listed on the tax reports will be the same board members that served during the fiscal year the tax report is being prepared for.

### **Section 4: Auditing of Annual Records**

The annual audit will be conducted at the end of the fiscal year. (Period of July thru June) The purpose of the audit is to certify the accuracy of the books and records of the Treasurer, and to assure the membership that the Booster Clubs resources/funds are being managed in a businesslike manner within the regulations established for their use. The audit protects the outgoing Treasurer and Board, as well as the incoming Treasurer and new board. Additionally, should a Treasurer resign from the position during the school year, an immediate interim audit must be performed before the new Treasurer can assume their duties.

During the first month of the fiscal year, the Treasurer will have the option to make a recommendation to the President to have a semi-annual audit, and a closing year-end audit, instead of the Annual audit. The semiannual audit facilitates the year end closing process for both the out-going Treasurer, and the in-coming Treasurer. The semi-annual audit period is from July 1<sup>st</sup>, thru December 31<sup>st</sup>, and it is usually conducted the first week of February. The closing annual audit begins January 1<sup>st</sup>, thru June 30<sup>th</sup>. The second part of the audit can begin the third week of July, and completed as soon as the bank statement for the month of June is received.

The audit team must present an audit report to the executive board upon completion.

The annual audit report must be approved in a general membership meeting of the following fiscal year, and it must be recorded in the minutes.

**Audit Preparation:**

In order to prepare for the audit, the following records and documents must be made available to the Audit Team Coordinator: At the beginning of the audit, the coordinator will provide the Treasurer with a memo listing all the records necessary to conduct the audit. The Treasurer is responsible to respond with a specific date documents requested will be made available.

**Listings of accounting records that will be audited:**

**Check Voucher Register-** Review of executed check request vouchers with original invoices. The auditor will make sure the check request voucher was executed properly.

All documents being audited must be stamped with an “audit stamp” to indicate materials were audited.

**Bank Deposit Voucher-** The “Audit Team” will review all of the bank deposit vouchers to make sure all the bank deposits have been properly executed. The audit team will also compare the bank deposit vouchers to the deposit register and the bank statement to make certain the figures are the same.

All documents being audited must be stamped with an “audit stamp” to indicate materials were audited.

**Bank Statements:** The Audit team will use the bank statement to verify deposits and disbursements made. Audit team will also verify that all monthly bank statements have been reconciled on a monthly basis. Will review statements to assure beginning and closing balances are correct, and to make certain the bank statement balance, and the books bank balance reconcile.

**Review of Minutes-** Audit team will review the minutes to ensure any monetary decisions are reflected in financial records.

**Membership Master Schedule-** Review of member master list to make sure total membership and amount collected reconcile to funds collected in the general ledger.

**Insurance Documents-** Review policy and certificate of insurance to make certain insurance for school year is in place, and that the purchase of insurance is reflected in the minutes (if applicable).

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### **Section 5: Bank Reconciliation**

The Treasurer must reconcile the bank statements upon receipt from the bank. The statements must be reconciled using the Quickbooks systems. The bank statement and the general ledger must reconcile at all times. The cover statement must be signed and dated by the Treasurer and review by a second party.

### **Section 6: Budget and Financial Reporting**

The Treasurer shall prepare monthly financial reports on a monthly basis. Financial reports must be ready for distribution at every scheduled meeting.

The President is to receive financial and budget reports in advance of each meeting. The budget financial reports consist of:

- Financial budget report of income and expenses

- Fund statement AKA a Balance Sheet

### **Section 7: Charitable License Renewal**

The Treasurer will renew the existing Solicitation of Contributions license from the “Florida Department of Agriculture & Consumer Service”. Annual reports and fees must be filed and paid. Reports of any change in Board of Directors must be reported.

### **Section 8: Check Book Stub**

The Treasurer must record all checks and deposits in the bank check stub book, it must contain date, check #, payee, purpose, and amount of check. The deposits must include date, amount of deposit, and source of income.

### **Section 9: General Ledger**

The Treasurer shall maintain a general ledger booking system of all income, and disbursements of the Booster Club’s budget funds, and must prepare general journal entries as needed.



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### **Section 10: Sales Tax Exemption Certificate**

The Treasurer files forms needed in order to obtain a Sales Tax Exemption Certificate from the Department of State. The Treasurer will maintain copies of the certificate on file, and will provide to vendors that required the form. The Treasurer will also make sure that the certificate does not expire.

## **ARTICLE 15: MISCELLANEOUS**

**Non-Discrimination Policy:** The Booster Club will admit students of any race, color, national and ethnic origin to all the rights, privileges, programs and activities made available to students at the school. It does not discriminate on the basis of race, color, religion, sexual orientation, gender, national and ethnic origin in the administration of its training practices, admission policies, scholarship, athletic completion, and other school administered activities.

**Commitment to Affirmative Action:** The Booster Club is an equal opportunity employer and guarantees that it shall not discriminate in the hiring or promotion of any applicant or employee because of race, creed, color, age, sex, religious affiliation, or natural origin. Candidate's qualifications for the particular job shall be the sole basis upon a personnel decision will be made.

Revisions: June 18<sup>th</sup>, 2020