

# **Delaware Athletic Boosters Constitution and Bylaws**

## **Article I Corporation**

### **Section 1 Name**

The corporation shall be known as the Delaware Athletic Boosters, Inc. hereinafter known as the DAB.

### **Section 2 Purpose**

The DAB is to aid and support the athletic programs of the Delaware City School District.

### **Section 3 Incorporation**

The DAB is organized in the state of Ohio as a not for profit corporation 501(c)3. The DAB shall make the necessary filing with the Ohio Secretary of State to continue its existence.

### **Section 4 Governing Principles and Structure**

The DAB shall operate consistent with all the legal requirements, rules, regulations and policies of:

- a. State of Ohio
- b. Internal Revenue service
- c. Ohio High School Athletic Association
- d. Delaware City School District

The DAB will operate as one legal entity with the following structure:

- a. DAB Executive Board
- b. DAB Board of Directors
- c. An operating organization known as Delaware Athletic Boosters, Inc. Supporting the athletic program and activities

## **Article II Booster Operating Organization**

### **Section 1 Functions**

The DAB shall:

- a. Maintain the legal status of the DAB with the Ohio Secretary of State.
- b. File all required tax documents with the IRS.
- c. Ensure compliance with the Ohio High School Athletic Association and Delaware City School District.

- d. Establish financial management policies and controls.
- e. Direct any fundraising effort approved by DAB to benefit the athletic programs.
- f. Provide a forum to discuss uniformity, cooperation, pricing of activities and advertising opportunities in programs and signage.
- g. Conduct business as deemed necessary by the representation of the DAB in support of the Delaware City Schools Sports Programs.

## **Section 2 Executive Board**

At the annual membership meeting following the ratification of this constitution and policies commencing in the April meeting, the DAB shall elect officers to serve one-year terms (unless otherwise noted) with the effective dates established at the meeting.

The officers to be elected are:

- a. President
- b. Co-Vice President
- c. Co-Vice President
- d. Treasurer
- e. Secretary

The DAB officers will be referred to as the Executive Board.

The officers' duties and responsibilities are:

### **President**

- a. The President shall preside at all meetings and provide leadership to the organization.
- b. The President shall ensure the business of the DAB is conducted and consistent with all applicable laws, rules, and policies.
- c. The President shall be an ex officio member of all committees.

### **Co-Vice Presidents**

- a. In the absence of the President or in the event of circumstances preventing the President from completing their term of office, the Co- Presidents shall perform the duties of the President, and when so acting, shall have all the powers of and be subject to, all the restrictions upon the President.
- b. A primary and secondary Co-Vice President will be identified and voted upon at the April election. Primary will become President in the event the President is not able to fulfill the role.
- c. The Co-Vice Presidents shall be coordinator of the standing committee chairpersons.

### **Treasurer**

- a. The Treasurer is responsible for the deposit of monies and payment of all invoices and bills for the DAB and pays invoices for teams, except 501(c)3. In addition, will

present for approval at the annual meeting a budget of projected revenue and expenses for the next year.

b. The Treasurer shall present a written financial report at each DAB Board meeting including a balance sheet, summary of transactions and a year-to-date actual revenue and expenditures.

c. The Treasurer is responsible to ensure compliance with all DAB financial management policies and controls.

d. The Treasurer shall provide reports as requested by the Executive Board.

e. The Treasurer shall prepare the annual tax return and represent DAB at audits.

### **Secretary**

a. The Secretary shall keep minutes of all the DAB meetings and other meetings of the organization as needed and distribute the minutes of the previous meeting prior to the next meeting.

b. The Secretary shall oversee all published materials.

c. The Secretary shall be the keeper of records.

d. The Secretary shall keep a register of all members. This register shall include; name, address, phone, and email information.

e. The Secretary shall notify Directors of any changes in monthly meetings times, dates, or locations.

f. The secretary shall send a reminder email to each Director to remind them of upcoming meetings and/or events.

### **Attendance Requirements**

All Executive Board members are expected to maintain regular attendance at Board Meetings. Two Consecutive meetings missed without representation will be considered conspicuous absences and may result in a decision by a quorum of the Executive Board of the DAB to replace this Board member.

### **Quorum**

A quorum is established when four (4) Executive Board members (proxy vote accepted), and six (6) parent representatives from the Board of Directors are present at a meeting. In the result of a tie vote the sitting president will cast a tie breaking vote.

### **Executive Board Position Vacancy**

When a vacancy of the Executive Board occurs, the Executive Board will elect a replacement to serve the remainder of the term by a  $\frac{2}{3}$  vote of the remaining Executive Board.

### **Section 3 Board of Directors**

The Board of Directors shall consist of the Executive Board, a parent representative from each varsity sport, two parent representatives from John Dempsey Middle School and the chairpersons of the standing committees.

The Rutherford B Hayes High School and John Dempsey Middle School Athletic Directors will serve on the DAB Board of Directors in a non-voting, advisory capacity.

The Board of Directors shall hold monthly meetings on the third Monday of each month at 7:00PM. In the event the meeting falls on a holiday or school closure, an alternate date or format will be identified and communicated to the membership. General membership and coaches are welcome to attend Board of Directors meetings but will not have voting privileges.

#### **Section 4 Access to Booster Club Funds**

The individual Booster clubs shall provide the name of their treasurer or a parent representative. Once identified, this person shall provide their contact information to the Treasurer of the DAB and keep it current. Only requests for payment submitted to the DAB Executive Board Treasurer by the individual team booster groups treasurer or parent representative will be honored. All requests for payment must be submitted in writing and signed by both the parent representative and the coach.

The DAB Executive Board may exercise the approval for any single expense transaction under \$5,000 by a majority vote. Any single expense transaction of \$5,000 or greater will require a majority vote of the Board of Directors present at the meeting in which the request is presented.

#### **Section 5 Standing Committees**

The standing committees will be led by the Standing Committee Chairperson, who will be the point of contact for all chairs of the standing committees and report directly to the Co-Vice Presidents. This position is a member of the DAB Board of Directors. The standing committees are:

- a. Concessions committee
- b. Fundraising committee
- c. Public Relations committee

The Executive Board may establish standing committees and appoint chairpersons to those committees from the general membership as needed. Committee Chairpersons will be voting members of the Board of Directors.

#### **Section 6 Parent Representatives**

Each sanctioned varsity sport shall elect, or a head coach shall appoint, one Parent Representative to serve a one-year renewable term on the DAB Board of Directors and shall establish the effective date of the term. Each sport shall have one vote on the Board.

- a. Parent Representative shall; represent the sport and team at monthly DAB Board meetings, arrange for a substitute to report if absent, and provide information and concerns to the DAB Board of Directors.
- b. The Athletic Director for John Dempsey Middle School shall select two Parent Representatives to the Board of Directors.

- c. Parent Representatives shall coordinate volunteer needs with the respective Committee Chairperson for DAB activities, i.e.: fundraising and concessions.
- d. A Parent Representative may also serve as a standing Committee Chairperson. Parent representatives serving as Chairpersons are limited to one vote on the Board of Directors.
- e. No employee of the Delaware Athletic Department may be named as a parent representative.

### **Section 7 Membership**

All parents and legal guardians of student athletes in John Dempsey Middle and/or Rutherford B Hayes High School are eligible to attend monthly DAB board of directors' meetings.

### **Section 8 Annual Membership Meeting**

There shall be an annual DAB membership meeting in the month of April for the purpose of:

- a. Electing officers for the following fiscal year.
- b. Receiving an annual projected budget of revenue and expenses for the next fiscal year of June 1 through May 31.
- c. Conducting other business as deemed necessary by the current officers including amending or revising this constitution and policies.
- d. Reviewing any previous year's business and activities.

There shall be public notice given not less than 10 days of the annual membership meeting from the current DAB officers indicating date, time, and place of the meeting.

Each member in good standing shall have one vote but must be present to cast the vote. In the election of officers, a plurality of votes cast shall elect. Any other action shall be authorized by a majority of the votes cast. To amend or revise this constitution, the DAB must ratify the proposed change by an affirmative vote of two thirds ( $\frac{2}{3}$ ) of the membership present within a period of one calendar year.

The annual membership meeting may be in conjunction with a monthly meeting of the DAB Board of Directors.

### **Section 9: Statement of dissolution**

The duration of the corporate existence as a nonprofit shall be perpetual until dissolution. Upon dissolution of the organization, assets of the DAB 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 by a quorum of the remaining active members of the Executive Board.

## **Article III Order of Business and Rules of Order**

### **Section 1 Order of Business**

Call to Order  
Executive Board Roll Call  
Board of Directors Roll Call  
Approve Prior Meeting Minutes  
Treasurer Report  
Athletic Director Report(s)  
Standing Committee Report(s)  
Parent Representative Report(s)  
Old Business  
New Business  
Next Meeting Date/Time/Location  
Open Forum  
Closing Comments  
Adjournment

### **Section 2 Rules of Order**

The Rules contained in Robert's Rules of Order shall govern in all cases to which they are applicable.

## **Article IV Amendments, Revisions, and Bylaw Changes**

### **Section 1 Annual membership meeting**

To amend or revise this constitution and bylaws document, the DAB must ratify the proposed change, amendment, or revision by an affirmative vote of two thirds ( $\frac{2}{3}$ ) of the membership present at the annual membership meeting or special membership meeting called by the Executive Board for that purpose.