

**BY-LAWS FOR THE  
SOUTH ELGIN HIGH SCHOOL BOOSTER FOUNDATION**

**ARTICLE I - PURPOSE STATEMENT**

**SECTION 1. NAME.** The name of this organization shall be the South Elgin High School Booster Foundation, and hereinafter be referred to as the Foundation or the Booster Foundation.

**SECTION 2. PURPOSE.** The purpose of the Foundation is to support and promote all activity groups at South Elgin High School by uniting students, parents, coaches, faculty, staff, and community in a way that enhances the sharing of school spirit, and provides moral as well as financial support. To assure the ongoing improvement to all South Elgin High School activity group programs, the Foundation shall recognize and work in conjunction with individual activity booster groups. The Foundation is further organized to be established as the Parent Teacher Organization for South Elgin High School and the parents of its student body. The Foundation shall in no way, either directly or indirectly, attempt to control or influence the administrative activities of South Elgin High School.

**SECTION 3. ORGANIZATION.** The Foundation shall register with the Attorney General's office as a charitable organization. The Foundation is an Illinois Not-For-Profit Corporation and will maintain Internal Revenue Code Section 501 (c) (3) exempt tax status. Each activity booster group that is deemed appropriate by the administration of South Elgin High School and the policies of School District U-46 shall be governed and represented by the Foundation. The Foundation shall obtain a Federal Employer Identification Number and maintain same on record with South Elgin High School.

**ARTICLE II – MEMBERSHIP**

**SECTION 1. MEMBERSHIP CLASSES.** Membership in the Foundation shall be in four classes:

- A. A Booster Foundation Individual/Family Membership shall be any person or family with a child/children attending SEHS.
- B. A Booster Foundation Business Membership shall be any business that sponsors the Foundation.
- C. A Booster Foundation South Elgin High School Alumnus membership shall be any person who has graduated from South Elgin High School. A Booster Foundation School Administration Membership shall be granted to the following persons:
  - 1. The Athletic Director, South Elgin High School
  - 2. The Principal, South Elgin High School (or his/her designee)
  - 3. Varsity Coaches of all interscholastic sports at South Elgin High School
  - 4. Directors/Representatives of all activity groups at South Elgin High School
  - 5. The Executive Director of Secondary Education
  - 6. The Superintendent, School District U-46 (or his/her designee)

**SECTION 2. ENTITLEMENTS.** Members in good standing are entitled to all benefits and privileges of the Foundation.

**SECTION 3. ETHICS.** No Officer, Director or standing Committee Chairperson shall use their position in the Foundation as a source of personal or professional advancement, gain or profit.

**SECTION 4. TERMINATION OF MEMBERSHIP.** Any member of the Foundation may be removed by a Sixty percent (60%) vote of the Directors of the Foundation at any regular scheduled meeting, or at a special meeting called for that purpose, for conduct deemed prejudicial to or considered detrimental to the

best interests of this Foundation, provided that such member shall first have been provided with written notice of the conduct deemed prejudicial or considered detrimental to the Foundation, and shall be given the opportunity to be heard at the meeting at which such vote is taken. At the time a membership is terminated, all entitlements and privileges of the Foundation shall be immediately revoked. Termination of membership in the General Foundation shall terminate membership in all individual activity groups. Said termination shall be effective for the remainder of that fiscal year and for the immediate following fiscal year.

**SECTION 5. MEMBERSHIP YEAR.** The membership year shall be defined as between July 1 and the following June 30.

### **ARTICLE III - FOUNDATION OFFICERS**

**SECTION 1. OFFICERS AND THEIR DUTIES.** No person shall hold more than one Officer position. No foundation officer shall be the Director of any individual activity group.

- A. **President(s)-** To call meetings of the general membership, Officers, Directors, and special membership meetings; Preside at such meetings; Appoint special committees from the membership; Represent the Foundation at meetings of any other group where the purposes and actions of the Foundation have pertinence; Perform other duties as prescribed by the Officers and Directors of this Foundation.
- B. **Vice-President(s)-** To serve as the first backup officer to the President, and perform the duties of President at such times as the President is unable to serve at any Foundation function; Perform other duties as prescribed by the Officers and Directors of this Foundation.
- C. **Secretary(s)-** To maintain and keep records of the Foundation, its officers, directors, and direct support groups as it pertains to the Foundation; Annually publish a list of all Individual Activity Groups; Handle all correspondence for the Foundation, in conjunction with the Communications Committee; Perform other duties as prescribed by the Officers and Directors of this Foundation.
- D. **Treasurer(s)-** To collect, deposit and disburse the funds of the Foundation as directed by the Officers and the Directors; Keep all financial records of the Foundation; At the direction of the Foundation, will present for examination all records pertaining to the office; Make such further reports and perform other duties as prescribed by the Officers and Directors of the Foundation.
- E. **Past Presidents-** To serve in an Ex-Officio capacity and assist the President in assuring a smooth and orderly transition of office; serve as advisor to the officers and directors on parliamentary procedures and on the historical affairs of the Foundation. The Past President shall serve for 6-month period of the President's first term of Office. The Past President shall be free to seek election as an Individual Activity Group Director, if he or she has a student attending South Elgin High School. The past President shall not have a vote on the Executive Board of Officers.

All above Officer positions may have 2 people elected so they are co-operated as deemed necessary. In addition, a member at large officer position may be created as deemed necessary. Every Officer shall be entitled to one vote, even when there are Co-Officers. These Officers shall have the right to meet as a group, on an as-needed basis, to plan the agenda and the strategy of the General Foundation.

**SECTION 2. ELECTION OF OFFICERS.** Election of Officers, except for Past Presidents, shall be conducted at the April meeting of the Foundation annually. The Nominating Committee shall submit a slate of candidates at the regular March meeting. Additional nominations will be accepted from the floor,

providing prior approval has been obtained from the nominee to serve in the office for which he/she is nominated. Voting shall be reserved to members in good standing. All nominees must be members in good standing of the Booster Foundation. To seek nomination to an office, a nominee must have a student attending South Elgin High School for the term of office sought, as defined in Article III, Section 3 below. Any exceptions require Board of Directors approval.

**SECTION 3. TERMS OF OFFICE.** The terms served by all Officers shall coincide with the membership year as described in Article II, Section 5.

**SECTION 4. VACANCIES.** A vacant officer position shall be filled by appointment made by the remaining officers. The new appointee shall have a student at South Elgin High School at the time of appointment and shall serve until the vacant term expires. Appointees shall be made from the ranks of members in good standing of the Booster Foundation.

#### **ARTICLE IV - BOARD OF DIRECTORS**

**SECTION 1. DESCRIPTION.** The Board of Directors of the Foundation shall consist of all Directors representing individual activity groups with the proviso that a single activity group shall have no more than one Director's vote. All Directors shall have a student attending South Elgin High School during his or her term, as defined in Article IV, Section 4 below. In the case of any Feeder Program Activity Groups, the Director shall have a child registered in that program during his or her term as defined in Article IV, Section 3 below.

**SECTION 2. DUTIES OF THE DIRECTORS.** The duties of the Directors shall be as follows:

- A. To serve as chairpersons and members of standing and special committees.
- B. To attend meetings of the Foundation, and serve as voting members in determining the affairs of the Foundation.
- C. To be a natural source for persons wishing to become Officers in the Foundation.
- D. To serve as liaison persons to their individual booster group.

**SECTION 3. ELECTION OF DIRECTORS.** Election of Directors shall be determined by the individual activity groups.

**SECTION 4. TERMS OF OFFICE.** The terms of office shall run from the beginning of that Activity Groups season until the next season Directors are voted in.

**SECTION 5. VACANCIES.** A vacant Director position shall be replaced as soon as practicable at the next meeting of the activity group following the date of vacancy. The secretary of the individual activity group shall serve in the place of the Director until a successor is elected by the group. If the secretary is unable assume those duties, the treasurer shall do so until a successor is elected.

#### **ARTICLE V – MEETINGS**

**SECTION 1. GENERAL MEMBERSHIP MEETINGS.** Regular meetings shall be held monthly at such places as designated by the Officers and Directors. Notice of any change in time, date, or place shall be given to the membership by the Secretary or Communications Committee at least ten calendar days before the scheduled meeting. A schedule of all regular meetings will be available at the July meeting each year.

**SECTION 2. SPECIAL MEETINGS.** Special meetings may be called by the President or by a majority vote of the Officers or Directors. Notice of these meetings shall be given to the membership by the Secretary or Communications Committee at least ten calendar days before the special meeting.

**SECTION 3. CONDUCT OF MEETINGS.** All membership meetings shall be conducted as follows:

- A. In accordance with Roberts Rules of Order, except where they are in conflict with these by-laws, in such event, these by-laws shall govern.
- B. A majority of the Directors or a majority of the Executive Board Officers shall be necessary to constitute a quorum for the transaction of business at any meeting of the membership; provided that notice of the meeting has been duly given to the membership.
- C. **EQUAL REPRESENTATION.** Equal representation shall be given to all existing activity groups at South Elgin High School. The concept of ONE ACTIVITY- ONE VOTE shall prevail and is to be administered in the following manner. Each activity group having a representative present at any Foundation meeting shall have one vote on any business put to a vote at that meeting. In the case of more than one representative of a specific activity group being present, the sequential priority of casting a vote shall be as follows:
  - a) Director of the Individual Activity Booster Foundation
  - b) By written, signed proxy of the Director of the Individual Activity Booster Foundation.

Officers of the Foundation will vote only in the case of a tie vote by the Directors, in which case each officer present will vote on the measure. The majority decision of the Officers will be cast as a single vote added to the tied Directors' vote. If the vote of Officers is a tie, the measure fails.

Any action that can be taken at a regular meeting of the Board of Directors can be taken by vote without a meeting provided that written consent is obtained, by e-mail and the action is approved by a majority of the directors casting votes, or by the number of directors entitled to vote required by these bylaws, provided that a quorum is present as defined Article V, Section 3(B) above.

**EQUAL TIME.** It shall be the policy of this Foundation to allow equal time to all persons wishing to be heard on a specific issue. In order to fairly administer this policy, the President shall be empowered to determine the amount of time allowed to each activity group to speak on that issue insofar as that amount of time is identical to limitations put on any other group wishing to be heard. The number of speakers from a specific activity group shall not be limited, but their total time to speak shall not exceed the amount of time predetermined by the President.

## **ARTICLE VI – COMMITTEES**

**SECTION 1. TYPES OF COMMITTEES.** There shall be two types of committees: Operational committees and Special committees. Operational committees are relatively permanent in nature and are the backbone of the Foundation's operations. Special committees are appointed to accomplish special objectives and tasks, and will generally expire as soon as those objectives and tasks are completed. The President shall be an ex-officio member of all committees.

**SECTION 2. COMMITTEE CHAIRPERSONS.** Committees may be chaired by Officers, Directors, or Foundation members in good standing.

A. **VOTING.** Committee chairperson may vote on items that come up during meetings. The concept of ONE COMMITTEE-ONE VOTE shall prevail and is to be administered in the following manner: Each committee group having a representative present at any Foundation meeting shall have one vote on any

business put to the vote at that meeting. In the case of more than one representative of a committee being present, the sequential priority of casting a vote shall be as follows:

- i. Committee Chairperson
- ii. By written, signed proxy of the Committee Chairperson

**SECTION 3. OPERATIONAL COMMITTEES.** Operational committees shall include, but not be limited to the following:

- A. **MEMBERSHIP COMMITTEE.** This committee shall be responsible for securing new members, and maintaining current membership email or opt out lists.
- B. **WAYS AND MEANS COMMITTEE.** This committee shall work in conjunction with the Treasurer in preparation of budgets and other Foundation fiscal and administrative matters and will act as a clearing house for all fundraising activities.
- C. **COMMUNICATIONS COMMITTEE.** This committee shall work in conjunction with the Secretary in providing such notices to the general membership as are required; work with the Membership Committee relative to communications with current and prospective members; shall be responsible for the preparation and distribution to various media information concerning Foundation activities; and shall also be responsible for attending meetings of other organizations whose activities would be of interest to the Foundation.
- D. **CONCESSIONS COMMITTEE.** This committee shall be responsible for the development and maintenance of the programs and policies concerning the Foundation handling of concessions at school events. Because the chair requires specialized knowledge and abilities, as well as a significant time commitment, the Concessions Committee may be chaired by two co-chairs.
- E. **FACILITIES COMMITTEE.** This committee shall work in conjunction with the Athletic Director to assist in exploring and recommending needs relative to facility expansion and upgrades; and shall assist in determining the best method to achieve these needs.
- F. **MERCHANDISE COMMITTEE.** This committee shall be responsible for the selection of "Official South Elgin High School Booster Foundation" merchandise & apparel. Additionally, this committee shall purchase, based on approved budget by Executive Board Officers & Board of Directors, inventory, and sell these items, with profits to the general Booster Foundation Account.
- G. **EVENTS COMMITTEE.** This committee shall plan and oversee all Booster events, such as senior award night and assist where necessary with Booster fundraising events.
- H. **PROGRAMS COMMITTEE.** This committee shall plan and host and oversee all Booster programs, such as the Teachers Wish List, scholarships, etc. A budgeted amount to run the event(s) must be approved by the Directors no later than the regular June meeting for the next year's event(s).
- I. **NOMINATING COMMITTEE.** This committee shall be responsible for the nomination of a complete slate of Officers for presentation at the March Regular Foundation meeting. Rules to govern these nominations:
  - a. Each nominee must provide prior approval to serve in the office for which she/he is nominated.
  - b. Prior approval by a nominee may be given verbally if that person is present at the meeting in which her/his name is placed in nomination. If a nominee is not present, prior written

approval must be obtained by the committee and presented at the meeting in which the nomination is made.

- c. Nominees for President, Vice-President, Secretary, and Treasurer must be members in good standing of the Booster Foundation and have a student at SEHS during the term that they are running for.

## **ARTICLE VII – FUNDS**

**SECTION 1. DEPOSIT OF FUNDS.** All funds of the Foundation shall be deposited in a Federally Insured depository or depositories within the community under the name of South Elgin High School Booster Foundation or as the Officers and Directors may designate by resolution.

**SECTION 2. DISBURSEMENTS.** All disbursements shall be made by checks signed by two of the Officers. These two Officers shall not be immediate family members. All signatories shall be required to be bonded, and the cost thereof shall be borne by the Foundation. The Foundation shall make no disbursements of funds that do not directly benefit the members/students of South Elgin High School or members of an approved Activity Booster group.

**SECTION 3. CONTROL OF FUNDS.** All funds shall be controlled according to the rules established with the approval of the Board of Directors.

## **ARTICLE VIII – GIFTS**

**SECTION 1.** The offer for any and all gifts must be presented to the Board of Directors of the Booster Foundation and not to an individual activity booster group.

**SECTION 2.** Any and all gifts must be approved by the appropriate School District personnel in compliance with School District U-46 Board of Education policies and Section Title IX.

## **ARTICLE IX - INDIVIDUAL ACTIVITY BOOSTER GROUPS**

**SECTION 1. PURPOSE.** Students participate in specific extracurricular activities based upon their interest and talent. Naturally, the major support for an individual activity is from the participants and their parents. Consequently, to best achieve the Foundation Purpose as specified in ARTICLE I. SECTION 2. the Foundation is organized as a confederation of Individual Activity Booster Groups.

**SECTION 2. INDIVIDUAL ACTIVITY BOOSTER GROUPS.** See Appendix A for a list of current individual activity groups (attached).

**SECTION 3. CHANGES TO INDIVIDUAL ACTIVITY BOOSTER GROUPS.** Any individual activity group that is recognized by the South Elgin High School and District U-46 Administration, and that is willing to abide by these by-laws, may participate in the South Elgin High School Booster Foundation.

### **SECTION 4. OPERATION OF INDIVIDUAL ACTIVITY GROUPS.**

- A. At or prior to the beginning of the individual activity group's season, the members of each group shall elect a Director, Secretary and Treasurer if they deem necessary to have all of these positions and if it is deemed necessary to replace or fill a Director's position. The Director shall have the rights and duties outlined in Article IV, Section 2 of these Bylaws.

- B. The secretary of each activity group shall maintain and keep records of the group, including minutes of all group meetings and a list of all student and parent members of the group, and shall handle all correspondence of the group, and perform other similar duties as prescribed by the group. In the case of a vacancy.
- C. The treasurer of each activity group shall be responsible for promptly collecting and transferring all funds raised in connection with Booster supported activities to the Booster Treasurer. The treasurer shall also be responsible for keeping all financial records of the group.
- D. All decisions, including the election of Directors, secretaries and treasurers, of each activity group shall be by the majority vote of all members of each group attending the meeting at which the vote is taken.
- E. All meetings of each activity group shall be conducted in accordance with Robert's Rules of Order, except where they are in conflict with the Foundation Bylaws. In such event, the Foundation Bylaws shall govern.
- F. Each activity group shall comply with and follow the Bylaws, policies, rules and procedures of the Foundation.

## **SECTION 5. OPERATIONS OF FEEDERS /CLUB ACTIVITY GROUPS**

### **A. Criminal Background Checks**

1. All Feeder/Club activity groups that are affiliated with SEHS Booster Foundation will need to adhere to the following guidelines:
  - a. Conduct a Criminal Background check using an accredited national database search on all coaches, parents or any adult who has direct interaction with any of the minor players/members before the start of their season.
  - b. Provide proof of submission/documentation and results of background checks must be provided to the SEHS Booster Foundation Executive Board President for his/her approval.
  - c. The Executive Board President will review all reports and will determine any necessary actions.
  - d. All cost associated with the background checks will be the sole responsibility of the Feeder/Club activity group.
  - e. The SEHS Booster Foundation will keep those records on file with the Booster Treasurer.
2. Failure to adhere to these guidelines or unfavorable results could result in termination from the Foundation as follows:
  - a. Failure to supply complete and accurate information could result in termination from the SEHS Booster Foundation and legal action if necessary, for the protection of the SEHS Booster Foundation and the protection of the children of SEHS.
  - b. If the results of the background check are determined unacceptable by the Boosters Executive Board President, the Feeder/Club group must remove that person from their position immediately.

- c. If he/she refuse to be removed from their position, the SEHS Booster Foundation will take further action to have that person(s) removed for the protection of the SEHS Booster Foundation and the protection of the children of SEHS.

## **B. Insurance**

1. Each Feeder/Club activity group must show proof of insurance to the SEHS Booster Foundation Executive Board.
2. Feeder/Club activity groups have the choice to purchase their own Feeder/Club activity group insurance policy or be added to into the SEHS Booster Foundation's policy.
3. If a Feeder/Club group chooses to be added to the SEHS Booster Foundation insurance policy, it must submit payment to the Booster Treasurer at the time an invoice is received.
4. The Feeder/Club group must provide the specified information to be properly insured under the SEHS Booster policy. The Booster Executive Board will inform the Feeder/Club group of what information is needed.
5. Any Feeder/Club activity group refusing the SEHS Booster Foundation insurance must sign a waiver releasing the Foundation from any and all liabilities.

## **ARTICLE X – AMENDMENTS**

**SECTION 1. AMENDMENT PROPOSALS.** Amendments to these by-laws may be proposed in the following manner:

- A. By majority of the current Board of Directors.
- B. By majority of the current Executive Board Officers.
- C. By written request of the membership, submitted to the Executive Board Officers and Board of Directors, with a petition signed by a minimum of 20% of the members in good standing.

**SECTION 2. PRIOR NOTICE OF VOTE.** Copies of all proposed amendments shall be made available to the Executive Board Officers and Board of Directors at least 10 calendar days prior to the time at which they will be considered. The Communications Committee shall be responsible for providing notice to the General Membership, and sending copies of the proposed amendment to any member upon request.

## **ARTICLE XI Distribution of Assets**

**SECTION 1:** The assets of Booster Foundation are permanently dedicated to exempt purposes within the meaning of Section 501(c)(3) of the Internal Revenue Code of 1954 (or corresponding provisions of future laws.) The Booster Foundation shall not be operated for pecuniary profit and shall have no capital stock and shall make no distribution or dividends to its directors, officers or persons having a private interest in the activities of the corporation.

**SECTION 2:** In the event the Booster Foundation is dissolved entirely and no successor organization is formed, the Board of Directors shall pay, satisfy and discharge all liabilities and obligations of the Booster Foundation or make adequate provisions therefore and distribute all remaining assets of the Booster

Foundation to any organization or organizations engaged in activities substantially similar to those of the Booster Foundation and organized and operated exclusively for charitable, educational, religious or scientific purposes as shall at that time qualify as an exempt organization under Section 501(c)(3) of the Internal Revenue Code of 1954 (or corresponding provisions of future laws.)