

Excel Gymnastics and Cheer Gymstars Booster Club Constitution and Bylaws

Article 1: Introduction

Section 1: Name

The name of this organization is “Gymstars Booster Club” (hereinafter the “Club”)

Section 2: Purpose

The Club is a non-profit organization whose purpose is to encourage and support athletes who participate at Excel Gymnastics and Cheer (hereinafter “Excel”) in a beneficial gymnastics program that will include competitive teams.

Section 3: Objectives

A. To develop the gymnast as a complete person physically, mentally and emotionally.

B. To promote good sportsmanship and beneficial recreation.

C. To support competitive teams that participate in inter-association, invitational and dual meets of all competitive levels.

D. To conduct all phases of the program in accordance with the guidelines of USA Gymnastics and the Amateur Athletic Union (AAU).

E. To furnish adequate financial support for the Excel competitive gymnastic teams.

Section 4: Fiscal Year

July 1 – June 30

Article II: Organization

Section 1: General Membership

A. After a child qualifies for one of the Excel teams, Level 3 or above, there is a parental option which includes, and strongly encourages, membership and full participation in the Club. All Members are required to pay one membership fee per family and each such family will comprise one General Membership unit. Team qualification and selection is made by the coaching staff.

- B. Members must maintain all specified requirements or they will be unable to enjoy the benefits of the Club until such time that all requirements are current.
- C. Each set of parents/guardians (General Membership unit) has one vote.
- D. A Member may vote in person, by absentee ballot or by proxy. An appointment of proxy is effective when received by an Officer of the Executive Committee. The appointment must state who has voting rights for that Member and the period of time it is effective. The written proxy appointment must be signed. A proxy appointment is revoked when the Member attends a meeting to vote in person or the Member tenders a written notice to the Executive Committee revoking the proxy appointment.

Section 2: Ex Officio Membership

- A. All Excel competitive team coaches, the Program Director, and any person invited to be a member by the Executive Committee will be given an Ex Officio membership in the Club, if not full membership by virtue of Article II, Section 1.A.
- B. Ex Officio members will be kept informed of all activities, invited to attend meetings and functions, but will not vote in the Club.

Section 3: Officers

- A. The elected officers of the Club shall be President, Vice-President, Executive Secretary, and Treasurer(s).
- B. Members eligible for nomination or election shall be those General Members in good standing who give their approval to be nominated.
- C. Election of officers
 - 1. The slate of officers shall be presented at the April General Membership meeting. Other nominations may be made from the floor of the April General Membership Meeting.
 - 2. Officers shall be elected at the May General Membership Meeting, and installed at the June General Membership Meeting. Officers shall serve a one year term effective July 1st.
- D. Responsibilities of the officers:
 - 1. President: The President shall be the principal executive officer of the organization and, shall in general supervise all the activities of the organization. The President shall be a member of the Executive Board and, when present, shall preside at all meetings of the Executive Board or the membership. The President shall create and distribute a monthly newsletter.
 - 2. Vice-president: The Vice-president shall preside at any meeting and conduct any activity in the absence of the

President. The Vice-president shall oversee the “Action Committees”.

3. Executive Secretary: The Executive Secretary shall record and distribute to all Executive Committee members and coaches the minutes of all Club meetings and shall keep an accurate roster of all members of the Club. In addition, the Executive Secretary shall handle all correspondence and written communications on behalf of the Club.
4. Treasurer(s): The Treasurer(s) shall collect all monies due to the Club, deposit funds in bank accounts for the Club, pay accounts payable for the Club, and maintain pertinent financial records. The Treasurer shall notify any Member whose account is in arrears. The Treasurer shall also be responsible for processing entry fees required of the gymnasts.
* The past Treasurer shall be responsible for filing the tax return for the fiscal year served with the help of a Certified Public Accountant who shall be approved by the Executive Committee.

Section 4: Executive Committee

- A. The Executive Committee shall consist of the elected officers. In the event a “team” is not represented on the Executive Committee, a member-at-large from the team will be nominated and elected by a majority vote by the Executive Committee to be their representative.
- B. The Executive Committee shall constitute the governing body of the Club and shall be responsible for the authorization and control of all Club activities, expenditures and policies in a manner consistent with its Constitutions and Bylaws.
- C. All appointed positions shall be held at the discretion of the Executive Committee
- D. The Executive Committee is directly responsible at all times to keep the Members fully informed of the Executive Committee actions.
- E. Each member of the Executive Committee shall have one vote. In the event of a tie vote, the presiding officer shall have one additional vote.

Section 5: Action Committees

- A. The Action Committees shall consist of the following:
 1. Corporate sponsorship is designated the duty of administering the Corporate sponsorship program and fulfilling contractual obligations on behalf of the Club.
 2. Fund Raising is responsible for devising and submitting potential fund-raising projects and coordinating the fundraisers with Club members.

3. Public Relations and Publicity generate information to disperse to various media.
 4. Team Liaison is responsible for acting as a direct link with the coaches and assisting them with team related administrative responsibilities The team liaison may also assist with purchasing supplies and snacks for the Club sponsored fund raisers (for example, Parent's Night Out -to be paid for by the Club).
 5. Hospitality is responsible for coordinating team parties, obtaining coaches gifts, birthday cards, and gymnast gifts with the team liaison, and team parents.
 6. Team Parents are responsible for goodie bags for gymnasts on their level, communication between gym and team members and keeping track of scores and awards at meets to communicate to webmaster and Secretary.
- B. Chairpersons of these committees shall be appointed by the Executive Committee.
- C. The Action Committees shall present proposals to the Executive Committee for approval before implementation.

Section 5: Vacancies

If the office of President shall become vacant for the remainder of the elected term, the Vice-President shall assume office of the President and a new Vice-President shall be appointed by the Executive Committee. In the event any elected officer is unavailable to complete his or her term of office, the Executive Committee may appoint a member of the Club to fill the position for the remainder of the term.

Section 6: Dissolution (per Internal Revenue Service Code)

- A. In the event of dissolution, the residual assets of the organization will be turned over to one or more organizations which themselves are exempt as organizations described in sections 501(c)(3) and 170(c)(2) of the Internal Revenue Code of 1954 or corresponding sections of any prior or future law, or to the Federal, State or local government for exclusive public purpose.
- B. Notwithstanding any other provisions of these articles, this Constitution will not carry on any activities not permitted to be carried in by:
- a. A corporation exempt from Federal Income Tax under section 501(c)(3) of the Internal Revenue Code of 1954 or any future United States Revenue law.
 - b. A corporation, contributions to which are deductible under Section 170(c)(2) of the Internal Revenue Code of 1954 or any future United States Internal Revenue Law.
 - c. Said constitutions is organized exclusively for charitable, religious, educational and scientific purposes, including, for such purposes the

making of distributions to organizations under Section 501(c)(3) of the Internal Revenue Code of 1954 (or the corresponding provision of any future United States Internal Revenue Law).

Article III: Meetings

- Section 1: The general membership shall meet in May at the call of the Executive Committee. All other meetings shall be called by the President.
- Section 2: The Executive Committee shall meet on the call of the President. At all Executive Committee meetings, a quorum shall consist of the President or Vice-president (whoever is presiding) plus a minimum of two other Executive Board Members.

Article IV: Finances

- Section 1: The Club is organized exclusively for charitable, educational, religious or scientific purposes, within the meaning of section 501 (c)(3) of the Internal Revenue Code (or corresponding section of any future Federal Tax Code.)
- Section 2: The Club shall be financially responsible for any debts incurred by the Club.
- Section 3: The presiding Treasurer will propose a budget and present it to the Executive Committee for the upcoming fiscal year by the May General Membership Meeting.
- Section 4: Funds shall be used as determined by the Executive Committee within the framework of the budget.
- Section 5: Financial obligation of team participants shall be established by the membership on the recommendation of the Executive Committee.

All financial obligations must be met before a gymnast participates in any meet supported by the Club. If an individual account is in arrears, reinstatement will occur one week after the account is current.

- Section 6: Fees
- A. A charge of \$25 will be assessed for any check written to the Club that is returned due to insufficient funds.
 - B. A late fee may be assessed to all accounts that are 10 days or more past due at the discretion of the Executive Committee.
 - C. A \$30 membership fee will be required prior to joining the Club to cover administrative costs through the year.

Section 7: General Fundraisers

- A. General Fundraising will be planned, as appropriate, by the Executive Committee, and may include, but is not limited to, spend the night events, consignment sales, and bingo nights.
- B. As these General Fundraisers are necessary for the furtherance of the purposes of the Club, all members are strongly encouraged to participate.

Section 8: Meet Fundraisers

- A. Hosting a meet is a special fundraising activity in which all General Members are required to volunteer due to their child's participation as a team member of the host gym.
- B. The meet director shall set a minimum number of required work sessions for each Member, usually four to four and one half hours. Some work sessions will be available outside the meet timeframe, such as committee chairs and preparatory work.
- C. Members who cannot work may offer an adult friend or family member to take responsibility of their session(s). This substitution must be approved in advance by the meet director. Members who cannot work their session(s), and fail to provide an approved substitute, will be assessed a nonparticipation fee of \$50.00 per session.

Section 9: Cooperative Fundraising

- A. The Executive Committee may, as appropriate, offer cooperative fundraising sales opportunities to the Members.
- B. Participation in Cooperative Fundraising is optional.

Section 10: All funds raised will be equitably disbursed to support all Excel competitive gymnastics teams Levels 3 and up.**Section 11: Refunds**

If a family chooses to leave the gym, quit the competitive team, or if the gymnast is unable to compete due to an injury, refunds will be given as follows:

- A. Individual gymnast fees will be refunded at the discretion of the Executive Board on a case-by-case basis. However, all individual financial obligations that have been paid for by the Club on behalf of the gymnast are non-refundable.
- B. No refunds will be given for any administrative costs, team expenses, or fundraising.

Section 12: No part of the net earnings of the organization shall inure to the benefit of, or be distributable to its members, trustees, Directors, officers or other private persons, except that the Organization shall be authorized and empowered to pay reasonable compensation for services rendered and make payments and distributions in furtherance of Section 501(c)(3) purposes. No substantial part of the activities of the Organization shall be the carrying on of propaganda, or otherwise attempting to influence legislation, and the Organization will not participate in, or intervene in (including the publishing or distribution of statements) any political campaign on behalf of or in opposition to any candidate for public office.

Section 13: Notwithstanding any other provision of these articles, the Organization shall not carry on any other activities not permitted to be carried on by a organization exempt from Federal Income Tax under Section 501(c)(3) of The Internal Revenue Code (or corresponding section of any future Federal tax code) or (b) by a Organization, contributions to which are deductible under Section 170(c)(2) of the Internal Revenue Code (or corresponding section of any future Federal Tax Code.)

Article V: Mediation

Section 1: If a dispute arises out of or relates to this contract, or the breach thereof, and if the dispute cannot be settled through negotiation, the parties agree first to try in good faith to settle the dispute by mediation administered by the American Arbitration Association under its Commercial Mediation Procedures before resorting to arbitration, litigation, or some other dispute resolution procedure.

Article V: Amendments (Provisions for Change)

Section 1: The Constitution and Bylaws of the Excel Gymnastics and Cheer, Gymstars Booster Club, may be amended at any advertised General Membership Meeting or Special Meeting of the Club by a majority vote of those present.

- ❖ Address all questions about the Gymstars Booster Club accounts to the board.
- ❖ Address all questions about class fees to the Excel Gymnastics and Cheer office.