

BYLAWS

Robocats Booster Club

Article I Name and Purpose

Section 1.01. Name. The name of this organization shall be Robocats Booster Club.

Section 1.02. Purpose. The Robocats Booster Club is organized and operated for the charitable and educational purposes of the Lovington Robotics Team.

Article II Membership

Section 2.01. Qualification. All parents, guardians, or other persons with a child enrolled and attending Lovington Robotics Team shall be considered voting members of the organization. The Principal, Assistant Principals, and members of the licensed teaching staff shall be non-voting, advisory members of the organization.

Section 2.02. Rights and Responsibilities. The members shall have the right and responsibility to attend meetings and events sponsored by the organization, serve on the committees, and be nominated and elected to office. Voting members shall have the right to vote for the officers, review and approve the annual budget, and approve amendments to these bylaws.

Section 2.03. Quorum. The members present at any membership meeting of the organization, provided four (4) or more members are present, shall constitute a quorum for the transaction of business. In the absence of a quorum the membership may not take action. In that event, any matter brought before the membership at a meeting at which quorum is not present shall be discussed and decided by the Executive Board.

Section 2.04. Meetings. There shall be at least one general annual meeting of the membership in August at which the officers are elected. Such additional business or special meetings may be held alone or in conjunction with an event sponsored by the organization as is determined by the Executive Board or at the request of one (1) or more members in writing to the Executive Board.

Article III Executive Board

Section 3.01. Membership. The Executive Board shall consist of the elected officers of the organization.

Section 3.02. Authority. The affairs, activities and operation of the organization shall be managed by the Executive Board. The Executive Board shall transact necessary business during the intervals between the meetings of the membership and such other business as may be referred to it by the membership or these bylaws. It may create Standing and Special Committees, approve the plans and work of standing and special committees, prepare and

submit a budget to the membership for approval, and, in general, conduct the business and activities of the organization.

Section 3.03. Meetings. The Executive Board shall meet monthly to prepare for general membership meetings and to conduct the affairs of the organization.

Section 3.04. Quorum. A quorum of the Executive Board for the conduct of business shall consist of at least three (3) officers in attendance.

Section 3.05. Action Without a Meeting. Any action required or permitted to be taken at a meeting of the Board of Directors (including amendment of these bylaws) or of any committee may be taken without a meeting if all the members of the Board or committee consent in writing to taking the action without a meeting and to approving the specific action. Such consents shall have the same force and effect as a unanimous vote of the Board or of the committee as the case may be.

Section 3.06. Participation in Meeting by Video or Audio Conference Call. Members of the Executive Board may participate in a meeting through use of video or audio software/applications or similar communications equipment, so long as members participating in such meeting can hear one another.

Section 3.07. Reimbursement. Executive Board members shall serve without compensation with the exception that expenses incurred in the furtherance of the organization's business are allowed to be reimbursed with documentation in accordance with the organization's financial policies, and prior approval.

Article IV Officers and Their Elections

Section 4.01. Officers. The officers of this organization shall include one President, one or more Vice Presidents, a Secretary, a Treasurer and such additional officer(s) as may be elected or appointed by the Executive Board from time to time.

Section 4.02. Election. A nominating committee composed of the current President and at least one additional officer shall begin seeking nominees in August of the year in which the candidates will be elected and develop a slate of candidates. The candidates shall be announced to the membership as soon as possible. Additional nominees may be solicited from the floor on the day of the election. Only those who have consented to serve shall be eligible for nomination, either by the committee or from the floor. Officers shall be elected at the August meeting of the organization by the members present. Officers shall assume their official duties on the last day of the current school year following their election.

Section 4.03. Term. Officers shall serve a one-year term. Officers may be elected for up to _____ consecutive terms in the same office.

Section 4.04. Vacancies. A vacancy occurring in any office shall be filled for the unexpired term by a person elected by a majority vote of the remaining members of the Executive Board.

Article V Duties of Officers

Section 5.01. President. The President shall be the principal executive officer of the organization and, subject to the control of the Executive Board shall in general supervise and control all of 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 and all meetings of the membership. The President shall vote only in the case of a tie in a vote of the Executive Board or the membership. The President shall select and appoint the chairpersons of all Standing and Special Committees and shall be an ex-officio member of all committees of the organization.

Section 5.02. Vice-President(s). The Vice-President shall be a member of the Executive Board and, in the absence of the President, shall perform the duties of the President. The Vice-President shall perform such other duties as are assigned by the President or the Executive Board.

Section 5.03. Secretary. The Secretary shall be a member of the Executive Board. The Secretary shall keep the minutes of the proceedings of the membership and the Executive Board, shall see that all notices are duly given in accordance with these Bylaws, shall be responsible for the publishing of meeting minutes, shall manage and keep an accurate tally of the volunteer records and, in general, perform all duties incident to the office of Secretary and such other duties as may be assigned by the President or the Executive Board.

Section 5.04. Treasurer. The Treasurer shall be a member of the Executive Board. The Treasurer is the authorized custodian to have oversight of all funds of the organization in accordance with the organization's financial policies. The Treasurer will organize, document, and record all financial activities. The Treasurer will be diligent and conscientious in ensuring all funds are received and spent in accordance with the organization's tax-exempt purpose, bylaws and budget. The financial records belong to the organization and must be available to the other officers and members upon request.

The Treasurer shall:

- Prepare an annual budget for review and approval by the members.
- Ensure that numbered receipts are provided for cash received by the organization.
- Ensure that all funds are timely deposited in the organization's authorized bank account(s).
- Ensure that payments and disbursements are authorized by approved budget, or an amendment to the budget.
- Present a written financial report (including income and expenditures and comparing budgeted amounts to actual year-to-date amounts), at each General Membership Meeting of the membership and at other times as requested by the Executive Board.
- See that an annual financial review or audit, as appropriate based on budget size, is conducted and presented to the Executive Board, General Membership, and other stakeholders.

Article VI Finances

Section 6.01. Budget. The Executive Board shall present to the membership at the first regular meeting of the membership after the officers have been elected, or as soon thereafter as practicable, a budget of anticipated revenue and expenses for the year. This budget shall be used to guide the activities of the organization during the year, including serving as approval for

anticipated expenditures. Any substantial deviation from the budget must be approved in advance by the membership.

Section 6.02. Obligations. The Executive Board may authorize any officer or officers to enter into contracts or agreements for the purchase of materials or services on behalf of the organization.

Section 6.03. Loans. No loans shall be made by the organization to its officers or members.

Section 6.04. Checks. All checks, drafts, or other orders for the payment of money on behalf of the organization shall be signed by the Treasurer or by any other person as authorized in writing by the Executive Board, except that checks of \$250 or more must have the signature of at least two officers, such as the Treasurer and the President. Checks shall bear notice of this requirement above the signature line as follows, "Two signatures required for checks in the amount of \$250 or more."

Section 6.05. Banking. The Treasurer shall ensure that all funds of the organization are timely deposited to the credit of the organization in such banks or other depositories as determined by the Executive Board. All deposits and disbursements shall be documented by a receipt, an invoice, or other written documentation. Sequentially numbered receipts shall be provided, with a copy kept, whenever cash is turned over or collected. All deposits and/or disbursements shall be made as soon as practicable upon receipt of the funds, normally daily, immediately after received and counted. If debit or credit cards are established in the name of the organization, a policy approved by the Executive Board shall be developed and used that includes a list of the authorized users, daily/monthly/annual spending limits, and review and oversight provisions. No personal charging on the card by the authorized users shall be allowed.

Section 6.06. Financial Controls. The organization shall adopt appropriate financial controls to ensure the integrity of its funds. Specifically, without limitation, the organization shall maintain separation of financial controls so that, minimally:

- All expenses must be approved by the membership by way of approval of an annual budget, or amendments thereto, or be approved by separate resolution of the Executive Board;
- Checks exceeding \$250 must be endorsed by at least two officers authorized by resolution of the Executive Board, and checks of the Organization shall include above the signature line a notice to this requirement;
- An officer or other person without check signing authority designated by the Executive Board shall review and reconcile all bank statements on a monthly basis; and,
- A committee of at least two (2) persons without check signing authority shall annually audit all corporate finances, or hire and supervise an outside accountant or auditing firm to conduct a review of corporate financial records.

Section 6.07. Financial Report. The Treasurer shall present a financial report at each membership meeting of the organization and prepare a final report at the close of the year in accordance with the organization's financial policies. The Executive Board shall have the report and the accounts examined annually. If the organization grosses less than \$100,000 per year, the financial practices and accounts may be reviewed by an internal audit committee. The audit committee shall consist of two or more Board or voting members of the organization who are not involved in the routine handling of the organization's finances, including not having signature authority on bank accounts or approval authority over disbursements. If the organization grosses over \$100,000 in receipts, an external professional, such as a certified public accountant (CPA), shall be hired by the audit committee to perform a financial review or

compilation. A full audit shall be conducted by an external CPA when annual gross receipts equal or exceed \$250,000.

Section 6.08. Fiscal Year. The fiscal year of the organization shall be from August 1st to May 31st but may be changed by resolution of the Executive Board.

Section 6.09. Financial Record Retention. All records of the organization shall be maintained and destroyed in accordance with law, and standard record retention guidelines. Financial records shall be maintained as follows:

RECORD	HOW TO STORE	PERIOD OF TIME
Year-end Treasurer's financial report/statement, annual Internal Financial Review Reports, IRS Form 990s	Store in corporate record book, binder, and/or cloud-based software.	At least seven (7) years Consider keeping permanently.
Bank statements, canceled checks, check registers, invoices, receipts, cash tally sheets, investment statements, and related documents	Compile and file records on a yearly basis. Store in binder or cloud-based software.	Seven (7) Years Store w/financial records. Destroy after seven years.
Treasurer's reports (monthly)	Compile and file records on yearly basis. Store in binder or cloud-based software.	Three (3) Years Store w/ financial records. Destroy after three years.

ARTICLE VII Conflicts of Interest

Section 7.01. Existence of Conflict, Disclosure. Directors, officers, employees and contractors of Organization should refrain from any actions or activities that impair, or appear to impair, their objectivity in the performance of their duties on behalf of the Organization. A conflict of interest may exist when the direct, personal, financial or other interest(s) of any director, officer, staff member or contractor competes or appears to compete with the interests of the Organization. If any such conflict of interest arises the interested person shall call it to the attention of the Board of Directors for resolution. If the conflict relates to a matter requiring board action, such person shall not vote on the matter. When there is a doubt as to whether any conflict of interest exists, the matter shall be resolved by a vote of the Board of Directors, excluding the person who is the subject of the possible conflict.

Section 7.02. Nonparticipation in Vote. The person having a conflict shall not participate in the final deliberation or decision regarding the matter under consideration and shall retire from the room in which the Board is meeting.

Purpose

The Board of Education recognizes the importance of athletic and extracurricular activities in the well-rounded development of public school students. Participation in such athletic and extracurricular activities programs builds character, a sense of responsibility and discipline, and promotes proper conduct, all of which are central to the educational mission of the District and the Board of Education.

The School Board further recognizes the contribution and support which its athletic, extracurricular activities, and educational programs receive from parents and members of the community who have organized booster clubs, parent-teacher organizations (PTOs), and other support groups with similar purposes

Group Status

Booster clubs and parent-teacher organizations (PTOs) are neither school-sponsored clubs nor student-initiated clubs. Booster clubs and PTOs shall constitute "outside clubs or groups" which are school-related but must meet the terms of Policy KJA and this regulation in order to use the School District's or an individual school's name, mascot, or logo and to use School District facilities as a school-related organization.

Booster Clubs

Booster clubs for athletics, marching band, drill team, cheerleading, drama, choir, or other athletic, fine arts, or academic activities are welcome to form, support, and assist such student activities or programs, both financially and with volunteer assistance.

A booster club must prepare and submit to the School Board a copy of its organizational bylaws and constitution by presenting the same to the office of the Superintendent prior to initiating such support or assistance. All booster organizations must operate within the applicable standards and guidelines set by the New Mexico Activities Association, and shall not either promote, encourage, or acquiesce in any violation of student or team eligibility requirements, conduct codes, or sportsmanship standards.

Upon formation and annually thereafter, each booster club shall provide the Superintendent with the names, telephone numbers, and addresses of each officer of the booster club and the position held.

Parent-Teacher Organizations

The Board of Education encourages the formation and operation of parent-teacher organizations at each school site or campus in the School District to provide financial support or volunteer assistance to the school. Parent-teacher organizations must

comply with the requirements of Policy KJA and this regulation in order to use the name of the school or School District, school or District mascots and logos, and to have access to School District facilities as a school-related organization. Each parent-teacher organization shall prepare and submit to the School Board a copy of its organizational bylaws and constitution to the site administrator and the Superintendent prior to initiating such support and assistance. Upon formation and annually thereafter, each organization must provide the site administrator and the Superintendent with the names, telephone numbers, and addresses of each officer of the organization and the position held.

**Accounting by Booster Clubs and
Parent-Teacher Organizations**

Each booster club or parent-teacher organization must have its own checking account and the bylaws for the group must require two (2) signatures for any disbursement from that account. Booster club or PTO funds and accounts are not School District accounts and will not be included in School District budgeting and accounting for annual School District audit purposes. Funds collected by the booster club or PTO are not deposited into the School District's student activity accounts. Funds collected should be expended for the most part, to benefit students involved in programs during the current school year or at the latest the year following the fund-raising event. However, funds collected by support organizations may be donated to the School District and placed in the general activity fund to be expended at the will of the District.

As an express condition to the School Board's consent for the booster club or parent-teacher organization to use the School District's name, school name, school or District mascots or logos, or to use School District facilities as a school-related organization, the booster club or PTO shall conduct an annual accounting or audit of its receipts and disbursements and submit a financial or audit report, performed in accordance with generally accepted auditing principles, to the school Superintendent by October 1 of each calendar year. In the alternative, the booster club or PTO shall permit the school finance director or designee to audit the accounts of the booster club or PTO on request, no less than annually. Officers of a booster club or PTO shall be responsible for safeguarding any funds raised by the organization and to ensure that funds are spent only for purposes related to the goals and objectives of the booster club or PTO, and the published or advertised reasons for the particular fund-raising activity. The organization's bylaws shall specify reasonable procedures for internal financial control which shall be reviewed by the School District's finance director.

The booster club or PTO shall not represent or imply that its activities, contracts, purchases, or financial commitments are made on behalf of or binding upon any school of the School District or the District itself. Such a statement shall appear on all purchase orders, contracts, or other forms of financial commitment issued by the booster club or PTO.

Fund-Raising

Each booster club or parent-teacher organization shall be limited to two (2) fund-raisers each school year which involve students in fund-raising activities outside of the school setting. Booster clubs and PTOs shall notify and obtain the approval of the Superintendent or designee to assure that scheduling of fund-raisers does not conflict with School District programs or activities, and that the fund-raising process is consistent with the goals and mission of the school or School District. All fund-raising activities shall comply with state and federal law, and in particular, shall assure compliance with any applicable provisions of the New Mexico Bingo and Raffle Act, NMSA 1978 Sections 60-2B-1 to 60-2B-14. Section 60-2B-13 exempts booster clubs and parent-teacher organizations as long as a bingo or a raffle is conducted only once during three (3) consecutive calendar months and not exceeding four (4) occasions in one (1) calendar year.

School employees, including athletic coaches and trainers or sponsors of school-sponsored student groups, shall not act as the primary organizers or spokespersons for any booster club or PTO fund-raising event and shall not personally handle funds raised. Participation in fund-raising activities by a booster club or PTO shall not be considered as a factor in a student's level of participation in any school activity or athletic program.

Title IX Compliance

The School Board discourages the formation or organization of booster clubs which sponsor, assist, or support student activities or athletic programs which predominantly serve student participants of a single sex. In order to assure that contributions or support by booster clubs and PTOs do not create inequities or significant disparities in the program, equipment, and facilities made available to students participating in single sex sports, the booster club or PTO shall report to the Superintendent or designee as part of its annual financial or audit report the amount of funds donated or tangible personal property contributed to the District's educational, extracurricular, or athletic programs, by program or sport, on an annual basis. Documentation establishing such donations or contributions shall be submitted with the annual financial report. Such donations or contributions shall be considered by the School District in determining whether comparable benefits are provided to extracurricular or athletic programs primarily designed for participants of a single sex. The Superintendent shall be authorized to decline particular donations or contributions to extracurricular or athletic programs which may result in inequitable or unbalanced programs for males versus female athletes. In the alternative, the Superintendent may accept such donations or contributions on the express condition that the donation or contribution be made to the general school or School District student activity fund in order to prevent such imbalance. Support provided to a single athletic program, regardless of source, must be included in the

School District's evaluation of its overall athletic program and the comparability of benefits made available to male versus female athletes.

The administration shall create and complete a gifts and donations form prior to approval or acceptance by the School District of all donations or contributions of tangible personal property to the School District. All such donations or contributions must be considered in regard to the District's Title IX compliance prior to acceptance. Final approval of acceptance of all donations and contributions will be made by the Superintendent or designee.

Notice of Compliance

At the beginning of each school year, the School District will publish the names of those booster clubs and PTOs which are in compliance with Policy KJA and this regulation in the student handbook for the school or School District. Groups or organizations which are not in compliance will not be identified, and the Superintendent may refuse the consent of the School District to use the District's name, school name, campus or District mascot and logos, or the use of District facilities as a school-related organization.

However, the person may be permitted to provide the Board with any and all relevant information.

Section 7.03. Minutes of Meeting. The minutes of the meeting of the Board shall reflect that the conflict was disclosed and the interested person was not present during the final discussion or vote and did not vote on the matter.

Section 7.04. Annual Review. A copy of this conflict of interest statement shall be furnished to each director or officer, employee and/or contractor who is presently serving the Organization, or who hereafter becomes associated with the Organization. This policy shall be reviewed annually for information and guidance of directors and officers, staff members and contractors, and new officers and directors, staff members and contractors shall be advised of the policy upon undertaking the duties of their offices.

ARTICLE VIII Indemnification

Every member of the Executive Board, officer or employee of the Organization may be indemnified by the Organization against all expenses and liabilities, including counsel fees, reasonably incurred or imposed upon such members of the Board, officer or employee in connection with any threatened, pending, or completed action, suit or proceeding to which she/he may become involved by reason of her/his being or having been a member of the Board, officer, or employee of the Organization, or any settlement thereof, unless adjudged therein to be liable for negligence or misconduct in the performance of her/his duties. Provided, however, that in the event of a settlement the indemnification herein shall apply only when the Board approves such settlement and reimbursement as being in the best interest of the Organization. The foregoing right of indemnification shall be in addition and not exclusive of all other rights which such member of the Board, officer or employee is entitled.

ARTICLE IX Amendments

These Bylaws may be amended at any regular or special meeting of the membership by a majority vote of the members present, provided that at least thirty (30) days' notice of the proposed amendments has been made to the membership, or alternatively the membership waives the required notice.

Amendment 1 **Lovington Municipal School Regulations** K-2611 KJA-R

REGULATION REGULATION

RELATIONS WITH BOOSTER ORGANIZATIONS

(Athletic Booster Clubs, Parent-Teacher
Organizations, and Other Support Groups)