

# CONSTITUTION AND BYLAWS OF THE KHS SPIRIT SQUAD BOOSTERS

Whereas, the parents and patrons of Kennedy High School who are desirous of promoting the activities of the Kennedy Cheerleaders and Songleaders have felt the need of an Organization to promote interest in cheerleading and songleading and to defer the cost of uniforms, competitions, and equipment, which will support the Kennedy Cheerleaders and Songleaders.

## ARTICLE I – Name

The name of this Organization shall be the KHS Spirit Squad Boosters.

## ARTICLE II – Purpose

The mission of the KHS Spirit Squad Boosters is to continuously support the advisor, coaches, athletes, and families of the Kennedy Cheer and Song teams in their goal to achieve competitive success as well as a spirited community on and off of the Kennedy campus. The booster club is a non-profit organization and will strive to provide financial support for the program. The booster club and its members will cooperate with the advisor and the school administration in its efforts to pursue its goals.

## ARTICLE III – Functional Year

Section 1. The Kennedy Cheer and Song Leaders shall function on a yearly basis concurrent with the school year, beginning in April/May after tryouts and ending right before tryouts.

Section 2. All financial records including student ledgers will be completed and closed by the last scheduled event of the season for auditing purposes. Records of financial accounts (excluding individual student ledgers not involving the requestor) shall be made available to any member of the organization upon request and shall be delivered within ten (10) business days.

## ARTICLE IV – Membership

Any individual not regularly enrolled in the KHS Spirit Squad Boosters but who is a resident of the Anaheim Union High School District shall be eligible for membership in the Boosters. Parents of all Kennedy Cheerleaders and Songleaders shall automatically be considered members of this Booster Organization.

## ARTICLE V – Officers and their Election

Section 1. The officers of this Organization shall be a President, a Vice-President, a Corresponding Secretary, a Secretary and Treasurer(s) and will be known as the “Board of Directors.”

Section 2. The Board of Directors shall be elected by the Organization at the 1<sup>st</sup> parent meeting after tryouts.

Section 3. Election of the offices of the Organization shall be by majority vote.

Section 4. Each officer shall perform the duties customary to such office.

Section 5. The officers, adviser, and coach(es) of this Organization shall constitute an Executive Committee for the transaction of such business as is necessary and for which provision has not otherwise been made in the regular or special meetings of the Organization.

Section 6. Order of the Agenda for Regular Meetings:

- I. Call to Order
- II. Roll Call
- III. Reading and approval of minutes from previous meeting
- IV. Reading and approval of Treasurer’s Report
- V. Standing Committee Reports

- VI. Old Business
- VII. New Business
- VIII. Coaches Report
- IX. Adjournment

## **ARTICLE VI – Officers and Terms of Office**

Section 1. The term of each office shall be for two (2) years beginning at the 1<sup>st</sup> parents meeting following tryouts. The term to not exceed more than two (2) consecutive terms.

Section 2. The President shall:

1. Preside at the General Membership and Executive Committee meetings of the Organization
2. Appoint all committees not elected
3. Have other powers and duties as may be prescribed by the Executive Committee or the Bylaws and shall fulfill the duties outlined in the KHS Spirit Squad Boosters Job Descriptions.

Section 3. The Vice President shall:

1. In absence of the President, or his/her inability to serve for any reason, perform his/her functions.
  - a. The order of succession would continue with the Corresponding Secretary, Secretary and Treasurer(s). In the event that all offices are vacated, a new election would be held to fill the offices. If any office other than that of the President or Vice President is open for any reason, the President shall appoint a replacement to complete the fragmentary term of office.
2. Oversee all fundraising events of the Organization, including the fundraising committee leads and committee members.
3. Have other powers and duties as may be prescribed by the Board of Directors or the Bylaws and shall fulfill the duties outlined in the KHS Spirit Squad Boosters Job Descriptions.

Section 4. The Secretary shall:

1. Record the minutes of all meetings of the Organization
2. Report minutes of previous meetings to the general members and file the minutes for future reference.
3. Have other powers and duties as may be prescribed by the Board of Directors or the Bylaws and shall fulfill the duties outlined in the KHS Spirit Squad Boosters Job Descriptions.

Section 5. The Corresponding Secretary shall:

1. Oversee and coordinate communication, marketing, and publicity of the Organization.
2. Have other powers and duties as may be prescribed by the Board of Directors or the Bylaws and shall fulfill the duties outlined in the KHS Spirit Squad Boosters Job Descriptions.

Section 6. The Treasurer(s) shall:

1. Maintain accurate records of all income to the KHS Spirit Squad Boosters
2. Pay all bills authorized for payment by the KHS Spirit Squad Boosters
3. Establish and/or maintain all checking accounts on behalf of the club.
4. Co-Treasurer can be elected as the Board of Directors deems necessary. If Co-Treasurer is elected, only Lead Treasurer votes will supercede Co-Treasurer votes.
5. Have other powers and duties as may be prescribed by the Board of Directors or the Bylaws and shall fulfill the duties outlined in the KHS Spirit Squad Boosters Job Descriptions.

Section 7. Resignations:

Any officer may resign effective on giving written notice to the President, the Secretary, or the Board of Directors. If the notice specifies a later time for that resignation to become effective, the Board of Directors may, before the effective date of the resignation, elect a successor to take office upon the effective date of the resignation. In the event of an immediate resignation, the Board of Directors may appoint a successor to take office upon appointment. At the discretion of the Board of Directors, three (3) unexcused consecutive absences from regular meetings of the Board of Directors shall constitute resignation, effective at the conclusion of the third such meeting. Three (3) unexcused absences in one

fiscal year from regular meetings of the Board of Directors shall be grounds for removal by a majority vote of the Board of Directors, such removal to take effect upon such vote.

Section 8. Removal From Office:  
Any officer may be removed from office upon the vote of two-thirds ( $\frac{2}{3}$ ) of the membership.

#### **ARTICLE VII – Committees and Their Responsibilities**

Section 1. The President shall appoint the following committees:

- A. Fundraising - There are several Committees throughout the year, such as Fundraising Chairman, and will be appointed as needed.
- B. Auditing Committee consisting of a minimum of two members who shall audit the financial records of the Organization by May 15<sup>th</sup>. An Audit report shall be presented or published for the membership. Any officer may request copies of or access to the financial information or bank accounts at any time. Signers on the bank account may be any of the President, Vice President, Secretary, or Treasurer(s); however, no employee of AUHSD may be a signer on the bank account.
- C. Budget Committee consisting of a minimum of two or more members of the Board of Directors plus the directors who will develop a tentative budget for presentation by the June parent meeting.

Section 2. Other committees may be appointed at the discretion of the President.

Section 3. The Board of Directors shall require all volunteers to sign a code of conduct.

#### **ARTICLE IX – Parliamentary Authority**

Recognized parliamentary rules shall govern the Organization in all cases to which they are applicable, and in which they are not consistent with the Constitution and By-Laws or the special rules of the Organization.

#### **ARTICLE X – Method of Amending the By-Laws and Constitution**

The Constitution and By-Laws may be amended by presentation at a meeting and by a vote of two-thirds ( $\frac{2}{3}$ ) at the following regular or special meeting of the eligible membership present.

#### **ARTICLE XI – Membership Dues**

There shall not be any dues assessed in the KHS Spirit Squad Boosters.

#### **ARTICLE XII – Meetings**

Section 1. The regular meeting of the Organization shall be held on the first (1<sup>st</sup>) week of the each month at 6:30 pm, provided that the Executive Committee shall be empowered to change the day and time of the meeting when necessary to avoid conflicts. Any member may attend a meeting if requested by that member as long as it is not a Board of Directors meeting.

Section 2. The Executive Committee may call special meetings of the Organization.

Section 3. At least one additional member and board of directors shall constitute a quorum, which is necessary to do business at any meeting of the Organization.

Section 4. In order to participate in a vote, a parent/guardian must be present for at least one (1) of the last three (3) meetings. The Secretary will record attendance at each meeting.

Section 5. Any meeting, regular or special, may be held by conference telephone or similar communication

equipment, so long as all members participating in the meeting can hear one another. meetings. The so long as all members participating in the meeting can hear one another. meetings. The Secretary will record attendance at each meeting.

Section 6. Any action required or permitted to be taken by the Board of Directors may be taken without a meeting if all members of the Board of Directors, individually or collectively, consent in writing to that action. Such action by written consent shall have the same force and effect as a unanimous vote of the Board of Directors. Such written consents shall be filed with the minutes of the proceedings of the Board of Directors.

### **ARTICLE XIII – Budget**

Section 1. The Budget Committee shall develop the tentative annual budget.

Section 2. The tentative budget shall be presented at the June meeting of the Organization.

Section 3. The operation budget will be approved at the August meeting of the Organization.

### **ARTICLE XIV – Finances**

Section 1. The funds of this association shall be used to further the purpose expressed in Article II of this Constitution. Only the KHS Spirit Squad Boosters Treasurer(s), upon the approval of the Board of Directors, shall be authorized to disburse funds.

Section 2. The President of the association shall have the authority to authorize expenditures up to one hundred dollars (\$100.00) each month when it is not feasible to call a special meeting of the Board of Directors. A report of expenditures shall be given at the next meeting.

Section 3. This organization is organized and operated exclusively for charitable and educational purposes within the meaning of 501(c)(3) of the Internal Revenue Code. Upon dissolution of this organization, its assets shall be disposed of exclusively for the purposes of the corporation or distributed to such organizations organized and operated exclusively for charitable purposes which shall, at the time, qualify as exempt organization under section 501(c)(3), or shall be distributed to the federal government, or to a state or local government, for a public purpose.

No part of the net earnings of the corporation shall inure to the benefit of or be distributed to any director, employee or other individual, partnership, estate, trust or corporation having a personal or private interest in the corporation. Compensation for services actually rendered and reimbursement for expenses actually incurred in attending to the affairs of this organization shall be limited to reasonable amounts.

No substantial amount of the activities of the organization shall be the carrying on of propaganda, or otherwise attempting to influence legislation and this organization shall not intervene in (including the publishing or distributing of statements) any political campaign on behalf of or in opposition to any candidate for public office.

Section 4. The Treasurer(s) of the association shall authorize payment by check of all debts of the association within 30 days after receipt or on approval by the Board of Directors.

Section 5. All projects that require financial obligation of the club as proposed by coaches will be presented to the Board of Directors on the approved forms. This will be done at monthly meetings in order for the Board of Directors to plan their budget. The budget shall normally be voted on at the August meeting, but may be changed by a vote of the Board of Directors.

Section 6. Total expenditures cannot exceed approved budgeted amounts without approval of the Board of Directors. No expenditure can exceed **\$1000.00**. Items are to be those approved by the KHS Spirit Squad Boosters, listed on the itemized request for funds form, and submitted to the KHS Spirit Squad Boosters Board. Unused funds cannot be applied to other items without the approval of the Board of

Directors. The **\$1000.00** expenditure ceiling may be adjusted yearly upon a two-thirds (2/3) vote of those in attendance at the May meeting.

Section 7. Funds – If any money remains in the account at the year end, said money will be carried over to the next year for use by the new board. In the events that the KHS Spirit Squad Boosters should disband all carry-over money is to be deposited in the ASB account of Kennedy High School solely designated for Kennedy Cheer and Song use only.

#### **ARTICLE XV – Amendments**

This Constitution may be amended at any Board of Directors Meeting of the association between the dates of May 1 and August 31 by the affirmative vote of two-thirds (2/3) of the members present, provided that any proposed change shall be presented for discussion and debate not later than the August meeting.

#### **Notes:**

This Constitution was adopted on August the 8th, in the year 2019 at a regular meeting of the KHS Spirit Squad Boosters at Kennedy High School at La Palma, California. In witness whereof we have hereunto subscribed our names.

Original signed by the following:

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**POLICIES AND PROCEDURES OF THE  
KHS Spirit Squad Boosters**

**POLICIES, AND PROCEDURES**

A copy of the By-Laws and the Policies and Procedures of the KHS Spirit Squad Boosters shall be given to all members of the Executive Committee and all members of the Cheerleading Organization at the first parent meeting after tryouts.

**GENERAL ACCOUNT**

10% profit from certain fundraising events shall be placed in the General Account before going into individual tracking ledgers upon determination of a fundraiser. It will be determined whether the monies will be applied to individual tracking ledgers or the general fund.

**Procedure:**

This account is to be used for the sole purpose to defray the cost to the Kennedy Cheerleaders and Songleaders, i.e., pay for cheer/song competitions, choreography, purchasing of cheer/song leader related items, etc.

**REIMBURSEMENT**

Coaches and members shall not be reimbursed for personal monies spent without prior approval of the Organization.

**FINANCIAL EMERGENCIES**

If a financial emergency should arise between regular KHS Spirit Squad Boosters meetings that need an immediate decision, the Board of Directors will have the authority to make this decision.

**BANQUET**

The KHS Spirit Squad Boosters shall provide an annual dinner to all Cheerleaders, Songleaders and Administrators in Section B.

**FUNDRAISING EVENTS**

KHS Spirit Squad Boosters shall sponsor activities, fundraisers, etc., only with the approval of the majority of the votes cast in a regular meeting or by agreement of the majority of the Executive Committee.

**Fundraising:** Fundraising is a large part of cheer and song leading and all cheer/song leaders are expected to participate. Individual tracking ledgers are set up for each cheer/song leader. Any fundraising profit raised by the cheerleader is placed into their ledger.

**Uniforms:** The parent/guardian and cheer/songleader are responsible for all uniforms and/or equipment, related to cheerleading. Parent/guardians will be required to purchase their uniforms from the Varsity Portal. Uniforms are to be laundered according to the instructions given, after every game or competition. Remember that cheerleader represents the school and we want them to look their best. Parents/guardians and cheer/song leaders are responsible to pay in full for any uniforms that are misplaced, stolen, or damaged. The cheer/song leader or their parent/guardian will pay any fees incurred for repairs or alterations to their uniform.

**KHS Spirit Squad Boosters**  
**STUDENT TRACKING SYSTEM POLICY**

- I. **ELIGIBILITY** – Who may use the system.
  - a. The student must be a member of the Kennedy Cheerleaders and Songleaders.
  - b. All individual tracking records from previous years must be complete, showing all balances paid in full before tryouts.
  - c. A graduating senior may “will” her remaining tracking account funds to an underclassman by submitting a tracking voucher.
  
- II. **ACCOUNT OPERATION** – Who handles the account.
  - a. The Treasurer(s) handles tracking and the General Account.
  - b. The student tracking ledger will be within the General Account.
  - c. Only the Treasurer(s) will access it, with disbursement requiring two signatures.
  
- III. **ACCOUNT INFORMATION** – How to find out what you have.
  - a. Parents will receive updates of student tracking ledger as often as possible.
  - b. Parents may request their child’s ledger balance
    - i. by written request directly to the Treasurer(s) or the President.
    - ii. By personal inquiry at any regular Kennedy Cheer/Song leading meeting.
  
- IV. **COLLECTIONS AND TRACKING** – How the money gets into the account.
  - a. All money earned from fundraising must be turned into the Chairperson or Treasurer.
  - b. All payments must be in the form of a check or money order. Cash will be accepted in a sealed envelope with the name of the athlete and parent on the outside.
  - c. Written notification will be given to families with delinquent accounts.
  - d. Processing fees for the collection of non-sufficient fund checks will be the responsibility of the person writing the check. All returned checks to the boosters are subject to a \$35.00 fee. After two (2) returned checks, no personal checks will be accepted; certified check or a money order only.
  - e. Any money left in individual ledgers at the end of the season can be rolled over to the next year if continuing on as a member of Kennedy Cheer/Song leading.
  - f. If a cheer/song leader quits or is removed permanently from the squad(s) for any reason, all money in their individual ledger from fundraising will revert to the general fund (this does not include temporary suspension or benching). If they do not continue on with cheerleading, all fundraising will be transferred into the general account. No fundraising funds can be refunded.