# ARTICLE I

# Name, Purpose and Objectives

**Section 1.1 Name.**

The name of this organization shall be the BHS Athletic Booster Club, commonly known as “Boosters” or “Booster Club,” hereafter referred to as the Booster Club.

**Section 1.2 Purpose**.

The purpose of the Booster Club is to promote student athletes at Berthoud High School ("BHS") participating in athletic events sanctioned under the authority of the Colorado High School Activities Association ("CHSAA"), in an atmosphere that is consistent with the educational philosophy of the BHS community.

**Section 1.3 Mission Statement.** The Booster Club supports and promotes BHS CHSAA-sanctioned athletic teams and athletes, regardless of gender, gender identification, sexual orientation, race, ethnicity, religion, socio-economic status, or chosen sports activity.

**Section 1.4 Objectives**.

The objectives of the Booster Club are as follows:

1. Foster the advancement of BHS CHSAA sanctioned sports within the Berthoud community and to guard the interest of its participants;
2. Develop an organization with active and involved members;
3. Boost school spirit among the students of BHS and the Berthoud community at large and encourage student and community attendance at all BHS athletic events;
4. Promote good sportsmanship by student athletes;
5. Encourage BHS student athletes in the balance of athletic participation and academic performance;
6. Provide supplementary financial support for the various CHSAA athletic programs and athletic-related expenses at BHS;
7. Aid the BHS staff in organizing and staging special events and projects, in furtherance of the Booster Club's stated Purpose and Mission Statement; and
8. Aid and support the BHS staff in the areas of sports promotion, publicity, community involvement, and program development.

**Section 1.5 Non-profit Status.**

Notwithstanding any other provisions of these Bylaws, the Booster Club shall carry out activities permitted by an organization exempt from Federal income tax under Section 501(c)(3) of the Internal Revenue Code of 1954, or the corresponding provision of any future United States Internal Revenue Law or by an organization; contributions to which are deductible under Section 170(c)(2) of the Internal Revenue Code of 1954 or the corresponding provisions of any future United States Internal Revenue Law.

**Section 1.6 Governing Law.**

The organization and activities of the Booster Club are governed by the Colorado Revised Nonprofit Corporation Act, § 7-121-101 et seq, of the Colorado Revised Statutes, 2019.

# ARTICLE II

# Membership, Business Sponsorship, and Fees

**Section 2.1 Club Benefits**

All membership and sponsorship benefits are provided at the discretion of the Executive Board, and are subject to change at the discretion of the Booster Club without prior notice.

**Section 2.2 Members Right to Privacy.**

Any personal information gathered or requested by the Booster Club is for the sole use of the Booster Club and will not be made available to any other organization without express permission by the member. The basic information of member or sponsor names and contact information (address, phone number, and email address) may be shared with BHS staff to the extent necessary in furtherance of the Booster Club's stated Purpose and Mission Statement.

**Section 2.3 Membership.**

Memberships shall be paid in full at the time of purchase. Memberships are valid only for the academic year in which the membership is purchased, regardless of purchase date. Memberships shall not be pro-rated for any portion of the academic year. Members, volunteers and committee chairpersons shall have no authority to modify or discount Membership fees. Membership is non-transferrable.

**Section 2.3.1 Membership Levels:**

There shall be a minimum of three levels of membership in the Booster Club, unless otherwise designated and voted on by the Executive Board. The Executive Board, may in its discretion and after a majority vote expand on the Membership Levels and establish any additional member benefits for any membership level.

1. Bronze membership
2. Shall include one individual only.
3. Shall include one vote in all general meetings, upon full payment of a current membership fee for the current year.
4. Silver Membership
5. Shall include two adults residing in the same household.
6. Shall include two votes in all general meetings, upon full payment of a current membership fee for the current year.
7. One silver member may exercise a proxy vote for the other silver member of the same membership account.
8. Gold Membership
9. Shall contain all of the rights and benefits of the silver membership.
10. Shall entitle the gold member(s) to additional and exclusive benefits reserved solely for gold members determined at the sole discretion of the Executive Board and are subject to change without prior notice by the Executive Board.

**Section 2.3.2 Membership Fee.**

Membership dues, assigned to each level of membership, and member levels shall be set each year by a majority vote of Executive Board. Membership fees are non-refundable, and shall have no cash value in return or exchange.

**Section 2.4 Business Sponsorship.**

Business sponsorship shall be available to any duly-licensed, legal business. Business sponsorship does not include “membership” in the Booster Club and a business sponsor shall have no voting rights for the Booster Club. Business sponsors wishing to vote in general Booster Club meetings must purchase a Booster Club Membership as described in Section 2.3 in addition to the Business Sponsorship.

**Section 2.4.1 Business Sponsorship Levels.**

There shall be at least three levels of Business Sponsorship in the Booster Club, unless otherwise designated and voted on by the Executive Board. The Executive Board, may in its discretion and after a majority vote expand on the Business Sponsorship Levels and establish any additional Business Sponsorship benefits for any Business Sponsorship level. Business sponsorship shall entitle the business to appropriate signage in designated areas and at designated times, as determined by the Executive Board; subject to approval by BHS Administration and/or Thompson School District. The Booster Club makes no guarantee, either express or implied, regarding the appearance or placement of any signage. The benefits set forth below for each level of Business Sponsorship may be modified as necessary to comply with any conditions or limitations by BHS Administration and/or Thompson School District. The Booster Club makes no guarantee, either express or implied, regarding the appearance or placement of any signage.

1. Gray Business Sponsorship
2. May include being listed with all Bronze Business Sponsors and without logo on banner posted at BHS stadium during fall and spring outdoor seasons and in small gym during winter sports season.
3. May include being announced at games, when possible, as Bronze sponsor.
4. Maroon Business Sponsorship
5. May include being listed with all Silver Business Sponsors and without logo on banner posted prominently at BHS stadium during fall and spring outdoor seasons.
6. May include creation and posting of banner with business logo in small gym during winter sports season
7. May include being announced at games, when possible, as Silver sponsor.
8. Spartan Business Sponsorship
9. May include creation and posting of banner with business logo posted at BHS stadium during fall and spring outdoor seasons and in main gym during winter sports season.
10. May include being announced at games, when possible, as Gold sponsor.
11. May include being additional and exclusive benefits reserved solely for gold sponsors determined at the sole discretion of the Executive Board and are subject to change without prior notice by the Executive Board.

**Section 2.4.2 Business Sponsorship Fee.**

1. Business Sponsorship fees and designation of sponsorship levels shall be set each year by a majority vote of the Executive Board.
2. Any variations and/or alterations to the structure and implementation of business sponsorships, including fees, are in the sole discretion of the Executive Board. Sponsorship fees are non-refundable, and shall have no cash value in return or exchange.
3. Business sponsorship fees must be paid in full at the time of purchase. Sponsorship packages are valid only for the academic year in which the sponsorship is purchased, regardless of purchase date. Sponsorships cannot be pro-rated for any portion of the academic year. Sponsorships shall not be discounted without approval of the majority of the Executive Board prior to any discount being offered to any business.
4. Members, volunteers and committee chairpersons shall have no authority to modify or discount Sponsorship fees.

**Section 2.5 Donations**

Nothing herein shall prevent the Booster Club from receiving donations above and beyond any listed membership fee and/or business sponsorship fee. Donations shall be deposited in the Booster Club’s general account for use by the Booster Club in the regular course of business, pursuant to any provisions applicable in these Bylaws. The Executive Board may negotiate benefits in trade to donors at its discretion and subject to majority approval of the Board.

**Section 2.6 Business Relationships**

Nothing herein shall prevent the Booster Club from entering into any mutually beneficial relationship, formal or otherwise, with any business in furtherance of the Booster Club’s purpose and mission statement with approval of the majority of the Executive Board.

# ARTICLE III

# Executive Board

**Section 3.1 Officers.**

Elected officers shall comprise the Executive Board, also known as “the Executive Board.” The Executive Board shall consist of the President (and Co-President, if applicable), Vice-President, Secretary, Treasurer (and Co-Treasurer, if applicable). All Executive Board officers are voting members of the Executive Board. In the event of a tie vote where simple majority is required, the President's vote shall represent the tie-breaking vote. In order to prevent any issues related to tie-breaking vote, in the event of co-Presidents, the Executive Board should, at the first meeting of the Executive Board for each school year, designate one of the two co-presidents to be the tie-breaking vote for the duration of the school year.

**Section 3.2 General Duty of Executive Board.**

The Executive Board shall be responsible to act on behalf of the Booster Club in the management of the business affairs of the organization and in accordance with these Bylaws.

**Section 3.3 The Executive Board shall:**

1. Approve any expenditure of general funds in a fiscally responsible manner.
2. The officers on the Executive Board may not incur expenses on behalf of the Booster Club without prior approval of a majority of the Executive Board, unless an emergency expenditure is necessary for the immediate support of a BHS team or athletic-related activity, and approval by a majority of the Executive Board is not feasible. Such emergency expenses shall be limited to a maximum of $100. Emergency expenditures may be voted on by the Executive Board electronically or via text. A report of the action taken shall be made at the next General Meeting.
3. Any emergency expenditure of general funds in excess of $100 or any non-emergency expenditure of general funds must be approved by the majority of the Executive Board. A report of the action taken shall be made at the next General Meeting.
4. Any expenditure of general funds above $2000, after agreement of the Executive Board to place the item on the General Meeting agenda, shall be presented at a General Meeting for consideration and vote by Booster Club members.
5. Set the time and date of General Meetings and provide members timely notification.
6. Approve goals and budget targets annually.
7. Have one (1) vote for each Officer in any General Meeting.
8. Review the annual budget, financial reports from the Treasurer, and, if necessary, financial statements issued by the bank and any other official bank or financial records for team accounts.
   * 1. Such review shall occur at a minimum, every three months.
     2. Copies of bank issued financial statements shall be regularly provided to all Executive Board members by the Treasurer and/or Co-Treasurer.

**Section 3.4 Executive Board Meetings.**

The officers which comprise the Executive Board shall meet regularly for special Executive Board Meetings throughout the academic year. These special meeting shall be closed to members and to the public unless attendees are otherwise approved by the majority of the Executive Board.

1. At a minimum, the Executive Board should meet for a special session the week prior to any General Meeting, unless otherwise agreed upon by a majority of the Executive Board, and provide sufficient time for the Executive Board to discuss Executive Board business prior to the General Meeting and to set the agenda for the upcoming General Meetings.
2. Executive Board special sessions may include discussion regarding past and pending matters related to Booster Club business and the Executive Board may take action on any item of Booster Club business that does not require a member vote at a General Meeting.
3. Any team funding request which has been submitted to the Executive Board shall be discussed during the Executive Board meeting and requires the approval by a majority of the Executive Board to be placed on the agenda for the General Meeting.
4. The Executive Board may, in its sole discretion, call a “special meeting” for any purpose and without prior notification to the membership.

**Section 3.5 Duties of Officers.**

1. President (and Co-President, if applicable)
2. The office of the President may be divided into two Co-Presidents, upon approval by the majority of the Executive Board members. The division of presidential duties shall be at the discretion of the two co-presidents.
3. The President shall:
4. Preside at all meetings.
5. Appoint discretionary committee chairpersons, with approval of the majority of the Executive Board.
6. Create and/or dissolve committees as necessary, upon approval of the majority of the Executive Board.
7. Serve as ex-officio member of all committees.
8. Oversee the development of goals of the Booster Club.
9. Have an official signature card on file with the bank utilized to manage the funds of the Booster Club and have electronic access to said accounts.
10. Ensure that officers of the Executive Board or members attend selected events at BHS to represent the Booster Club in his or her official capacity and to build relationships with BHS community.
11. Coordinate and meet with the BHS Athletic Director and staff, as necessary to effectuate the Purpose and Objectives of the Booster Club.
12. Meet with team coaches and parent liaisons as necessary to communicate Booster Club procedures.
13. The President shall be available to provide information, forms, and to answer questions regarding the Booster Club at team meetings if requested by BHS Athletic Department or coaches.
14. Coordinate with any Committee Chairs and members to ensure the needs of the committee and of the Booster Club as a whole are met in an efficient manner.
15. Delegate any of the above duties to another officer or committee chair when necessary.
16. Vice President
17. The Vice President shall:
18. Perform all the duties of the President in his/her absence.
19. Shall be responsible for an annual review of the Bylaws, recommending revisions as deemed appropriate, and providing an updated version of the Bylaws to members and other interested parties upon request.
20. Confirm the Booster Club’s standing on the State of Colorado Secretary of State website, and ensure the Booster Club is in good standing. (Renewal historically occurs in September of each calendar year.)
21. File any necessary documentation with the Secretary of State to maintain compliance, or bring the Booster Club into compliance in the event such action is necessary.
22. Maintain a printed copy of the Booster Club Bylaws at every General Meeting for reference or inspection during the meeting.
23. Secretary
24. The Secretary shall:
25. Maintain a record of all the proceedings of the General Meetings of the Booster Club. All minutes shall be kept in a digital file.
26. Maintain a record of the decisions and general discussions of the Executive Board held during the Executive Board Meeting, which shall be kept in a digital file.
27. Maintain a list of current members with current contact information and their voting rights, if any, and bring said list to any general meeting for accurate determination of voting rights.
28. Maintain a summary of the decisions made in General Meetings, which shall be provided to the general membership each month via applicable media websites or outlets as selected by the Executive Board, within seven (7) days of the meeting.
29. Collect year-end information from each officer and ensure storage of all Club information, records, documents, and supplies in the Booster Club’s designated location at BHS.
30. Maintain a printed copy of the records of every Executive Board Meeting and General Meeting in a notebook. This notebook shall be brought to every Board Meeting and General Meeting to allow for easy reference of past actions and decisions of the Booster Club. This notebook (or the contents thereof in digital form) shall be made available for inspection by any Executive Board member or general member within fourteen (14) days of receipt of a written request.
31. Treasurer (and Co-Treasurer, if applicable)
32. The office of the Treasurer may be divided into Co-Treasurer upon approval by the majority of the Executive Board members. The division of Treasurer duties shall be at the discretion of the two co-treasurers. The division of treasurer duties shall be clearly communicated to the Executive Board.
33. The Treasurer shall:
34. Take necessary steps to ensure that the Booster Club maintains a complete set of books of account in accordance with generally accepted accounting principles and practices.
35. Make disbursements from the general fund and secure proper vouchers and documentation thereof.
36. Report the amount of money available in the general fund at each monthly General Meeting which shall include an accurate representation of Club funds.
37. Have an official signature card on file with the bank utilized to manage the funds of the Booster Club and have electronic access to said accounts, to the extent permitted by said financial institution.
38. Receive and deposit moneys raised in the Booster Club’s checking and/or savings accounts.
39. Take necessary steps to ensure preparation and submission of the Booster Club’s annual filings with the Internal Revenue Service.
40. Ensure all documentation and filing necessary to maintain the Booster Club’s non-profit Section 501(c)(3) status.
41. In the event the Booster Club loses its non-profit status, ensure that all documentation and filing is completed to regain such status.
42. Oversee the financial component of any obtained memberships, sponsorships, donations and fundraising efforts of the Booster Club and maintain a financial record of members, sponsors and donors.
43. Recommend an annual budget to the Executive Board for approval at the start of each academic year and take necessary steps to advise the board of any income or expenditures that are not compliant with the approved budget.

**Section 3.6 Election of Officers, Term, and Term Limits.**

1. The officers shall be elected by a majority of the voting membership present at the final General Meeting of the academic year. The “election meeting” is typically held in May of each year, to serve in the respective elected roles for the following academic year.
2. All elected officers and standing committee chairs must be current members of the Booster Club.
3. No current BHS student shall serve as an elected officer.
4. Nominations for any position shall be made prior to the final General Meeting of the year. A party may nominate herself or himself. Additional candidates may be nominated from the floor at the final General Meeting.
5. Reasonable notice shall be provided to all general members and to BHS students and parents not later than one week prior to the election, which shall be held at the final General Meeting.
6. Term of Office and Term Limits.
   1. A term is one fiscal year, July 1 through June 30.
   2. An individual may not serve in the same elective capacity for more than four consecutive terms, with the exception of Treasurer or Co-Treasurer.
   3. The elected Treasurer and/or Co-Treasurer may serve no more than eight consecutive terms.
7. Vacancy.
   1. In the event an elected officer chooses to step down from his or her position prior to completion of the term, the President, with the approval of the majority of the Executive Board, shall appoint an acting replacement for any officer vacancy, other than the Presidency, for the remainder of the academic year.
   2. A vacancy in the office of the President shall be filled by a majority vote of the Board at their first Board meeting after the vacancy occurs.
8. In every instance, the Executive Board shall endeavor to arrange for the anticipated officer for the following academic year and the corresponding officer leaving office to work closely with the current Executive Board to ensure a smooth transition and continuity of knowledge regarding the general operations of the Booster Club.

# ARTICLE IV

# Committees

**Section 4.1 Discretionary Committees.**

1. The Executive Board may, at its sole discretion, designate optional Discretionary Committees should it be determined that such Committees are needed in order to efficiently operate the Booster Club. These Discretionary Committees may include, but are not limited to: Concessions, Fundraising, Homecoming.
2. In the event that a majority of the Executive Board approves the formation of any Discretionary Committee, the Executive Board shall clearly define the duties and obligations of the Discretionary Committee and shall appoint a chairperson for any formed Discretionary Committee.
3. Description of the duties and obligations of potential, but not required, Discretionary Committees such as Concessions, Fundraising, Apparel, Homecoming, if approved by the Executive Board in any given academic year, are set forth in Appendix 4.1 hereto. The descriptions set forth in Appendix 4.1 may be modified at any time by the Executive Board and without notice or amendment to these bylaws. Any modifications made by the Executive Board to Appendix 4.1 or to the duties and obligations of any formed Discretionary Committees must be communicated to any appointed Chairpersons.

**Section 4.2 Committee Chairpersons.**

1. The Executive Board shall seek out qualified candidates to serve as chairpersons for any established Discretionary Committees.
2. There shall be one chairperson of each Committee. Chairperson may be nominated by any member of the Booster Club. Chairpersons shall be appointed by the President, subject to the approval by a majority of the Executive Board.
3. The Executive Board shall require the chairperson to report to a designated Officer on the Executive Board who shall monitor the chairperson's compliance with the bylaws and any communicated duties and obligations of the Discretionary Committee.

# ARTICLE V

# Team Funding Requests

**Section 5.1 Team Funding Requests.**

1. All team funding requests must be accompanied by an official “Funding Request Form” and the any supporting documentation required by the form. A sample form for the Funding Request Form is attached **Appendix 5.1** hereto but may be subject to modification at any time by the Executive Board.
2. A Funding Request Form shall be provided by the Booster Club to teams, coaches, parent liaisons, and student athletes, upon request. The Booster Club may make these forms available through BHS athletic department staff to the extent allowed by BHS and TSD.
3. No team funding request shall be discussed or placed on the General Meeting agenda without a completed Funding Request Form. Each completed Funding Request Form shall be available for inspection by each Board member, and for inspection by the general members upon request.
4. The inclusion of any team funding request on the next General Meeting agenda must be approved by a majority of the Executive Board. Non-present Executive Board officers may assign a vote-by-proxy to an alternate officer, in writing, to allow that alternate officer to vote in the non-present Executive Board officer's stead for decisions of the Executive Board at any meeting, special or general.

# ARTICLE VI

# Discretionary Club Activities

**Section 6.1 Discretionary Actions by the Booster Club**

1. The Booster Club may elect to participate throughout the year in certain BHS events at the discretion of the current Executive Board. The participation by the Booster Club in any such events is at the sole discretion of the Executive Board.
2. Participation and support (financial or otherwise) for the endeavors of any event is not guaranteed and is solely within the discretion of the Executive Board. Approval by a former Executive Board does not oblige, nor guarantee the Booster Club’s continued participation.
3. By a majority vote of the Executive Board, the Booster Club may elect to grant use of the Booster Club’s non-profit status under Section 501(c)(3) to the After Prom Event (APE), Baccalaureate, and/or any other event as approved by the Executive Board in each academic year. In doing so, the Booster Club will take necessary steps to ensure that the monies raised for any such events are used to carry out activities permitted by an organization exempt from Federal income tax under Section 501(c)(3) of the Internal Revenue Code of 1954, or the corresponding provision of any future United States Internal Revenue Law or by an organization.

# ARTICLE VII

# Parent Liaisons

**Section 7.1 Requirement of Parent Liaison.**

Each team which seeks funding either through Team Funding Requests or through other fundraising opportunities, including concessions, from the Booster Club is strongly encouraged to have a Parent Liaison selected at the beginning of each academic year in order to facilitate the team's request and fundraising opportunities with the Booster Club. In the event that a team does not appoint a Parent Liaison, the Booster Club shall advise the team's coaches that they must take any necessary actions to secure a Team Parent Liaison or the coach themselves must handle such efforts. The Booster Club shall not be responsible for the coordination of the team's participation in any Booster Club events or fundraising opportunities.

**Section 7.2 Parent Liaison Form**

Each team should complete a Parent Liaison Form and submit to the Executive Board no later than the second week of school. A failure to notify the Executive Board of the Parent Liaison (or other designated contact person) may result in not being added to the Concession Team Roster, and may jeopardize the team’s funding. A sample of the Parent Liaison Form is attached hereto as Appendix 6.2 but may be modified at any time at the discretion of the Executive Board.

**Section 7.3 Duties of Parent Liaison**

1. Each Parent Liaison shall disseminate information regarding the assigned concession sign-up for each respective team.
2. It is the responsibility of the Parent Liaison, *not the Concession Volunteer Coordinator*, to ensure his or her team has filled each slot of the team’s assigned concession event.
3. The Parent Liaison shall advise the team parents, athletes, and coach(es) of the date of the General Meeting at which any funding request for said team will be put to a vote of the general members.
4. No monies shall be allotted retroactively to any team after the equal disbursement of funds to all teams.

# ARTICLE VIII

# General Meetings

**Section 8.1 Annual Year-End Meeting.**

An Annual Year-End General Meeting of the Booster Club shall be held in May of each academic year, unless otherwise specified by the Executive Board, with proper notice to all members. Any change to the Annual Year-End meeting date, time or location shall be announced no later than seven (7) days in advance of the proposed change, unless an emergency circumstance exists beyond the control of the Executive Board.

**Section 8.2 General Meetings**.

General Meetings shall be held monthly during the academic year unless otherwise specified by the Executive Board. Reasonable notice shall be provided to the general membership. The Executive Board shall set a regular meeting schedule for the entire academic year and shall make every effort to ensure the published meeting date is kept, unless a majority of the Executive Board votes to reschedule the meeting. General Meetings shall be open to all interested persons.

**Section 8.4 General Meeting Voting.**

All members who have paid a membership fee for the current year may vote in accordance with the membership level requirements. No quorum shall be necessary for a vote. In all voting instances, majority rules for those present.

**Section 8.5 Quorum.**

All voting by the Executive Board shall require a quorum of the Executive Board. A quorum for the Executive Board shall be two-thirds (2/3) of the current Executive Board members. In all voting instances, majority rules for those present or who have issued a proxy.

# ARTICLE IX

# Finances

**Section 9.1** **General Financial Provisions**

1. Any Committee Chairpersons will submit to the Treasurer a Budget to be presented to the Executive Board for approval.
2. All monies received by the Booster Club for any purpose, shall be deposited by the Treasurer to the credit of the Booster Club in a financial institution or institutions selected by resolution of the Executive Board. In order to ensure proper record keeping, deposits should be turned over to and handled by the Treasurer. Deposits shall not be made by any other officer or member of the Booster Club unless specifically authorized in advance by the Treasurer.

**Section 9.2 Limitation on Use of Tax ID**

No BHS sports team or other entity shall use the Booster Club’s tax ID number without express and prior approval of the Executive Board. Upon request, any team using the Booster Club’s tax ID number shall provide financial reports, including bank statements as appropriate, for review by the Booster Club president.

# ARTICLE X

# General Provisions

**Section 10.1 Liability of Members or Officers**

1. To the fullest extent permitted under section 7-121-101 et seq. of the Colorado Revised Statutes (known as the Colorado Revised Nonprofit Corporation Act (CRNCA)), revised October 1, 2018, and as the same presently exists or may hereafter be amended, a volunteer officer of the Berthoud High School Athletic Booster Club shall not be personally liable to the Booster Club for monetary damages for breach of the officer's fiduciary duty.
2. Section 10.1(A) does not eliminate or limit the liability of an officer or committee chairperson for any of the following:
   1. Acts or omissions not in good faith, or that involve intentional misconduct or a knowing violation of the law;
   2. A transaction from which the officer derived an improper personal benefit; and
   3. An act or omission that is grossly negligent.
3. To the fullest extent permitted under Section 209(d) of the law, as the same presently exists or may hereafter be amended, the Booster Club assumes all liability to any person other than the Booster Club, for all acts or omissions of a volunteer officer occurring on or after the date these bylaws become effective in accordance with the pertinent provisions of the law incurred in the good faith performance of the volunteer officer's duties as such. A claim for monetary damages for a breach of a volunteer officer's duty to any person other than the Booster Club, shall not be brought or maintained against a volunteer officer; but such a claim shall be brought or maintained instead against the Booster Club.

**Section 10.2 Definitions**

1. "Executive Board" means the body authorized to manage the affairs of the domestic or foreign nonprofit corporation; as set forth in §7-121-401(4), C.R.S. 2019.
2. "Bylaws" means the code or codes of rules, other than the articles of incorporation, adopted pursuant to articles 121 to 137 of Title 7, Article 121, for the regulation or management of the affairs of the domestic or foreign nonprofit corporation irrespective of the name or names by which such rules are designated, and includes amended bylaws and restated bylaws, as set forth in §7-121-401(5), C.R.S. 2019.
3. "Volunteer officer" shall have the same definition as the term “volunteer director” set forth in Section 110(2) of the law, as the same presently exists or may hereafter be amended. Any repeal, amendment or other modification of this Article shall not adversely affect any right or protection of an officer of the Booster Club existing at the time of such repeal, amendment or other modification. If the law is amended after this Article becomes effective, then the liability of officers shall be limited to the fullest extent permitted by law, as so amended.
4. Any repeal, amendment or other modification of any part of these bylaws shall not adversely affect any right or protection of an officer of Booster Club existing at the time of such repeal, amendment or other modification. If the Colorado Revised Nonprofit Corporation Act is amended after this Article becomes effective, then the liability of officers shall be limited to the fullest extent permitted by the Colorado Revised Nonprofit Corporation Act as so amended.

# ARTICLE XI

# Amendment of Bylaws

**Section 11.1 Submission of Proposed Amendments**

Amendments to the Bylaws are to be submitted in writing to the Executive Board in any special Meeting prior to the Annual Year-End Meeting. Notice of the amendments shall be publicized by direct mail or e-mail to the membership at least two weeks prior to a vote by the general membership.

**Section 11.2 Approval Process**

Amendments may be adopted at any regular General Membership Meeting if approved by (1) the majority of the Executive Board and (2) by a 2/3 majority of those voting Club members present.

# ARTICLE XII

# Dissolution of Club

**Section 12.1 Dissolution of the Booster Club Entity.**

Should the Booster Club cease to operate as a legal entity, all of the Booster Club assets and cash will be distributed equally to all active and participating CHSAA-sanctioned athletic teams. Distribution to the teams will be calculated in the following manner: the total sum of the Booster Club’s ending cash balance including assets converted to cash, less payment of any outstanding obligations, shall be divided by the total of all participating teams in the previous three sport seasons (Fall, Winter, Spring) to determine each teams share of the remaining assets. Once distributed, the funds can be used at the discretion of the team’s coach and/or duly authorized designee.

**APPENDIX 4.1**

**DUTIES OF POTENTIAL DISCRETIONARY COMMITTEES**

**(None of the Below are required. In the event the Executive Board votes to form a Discretionary Committee in any academic year for the below functions, which shall be in the Executive Board's sole discretion, the duties set forth herein shall apply. The Executive Board may modify the duties at any time at its discretion.)**

**Concessions**

In the event of the creation of a Concessions Committee, the Duties of the Concessions Committee Chairperson shall include:

* 1. Management of all concessions using the indoor, outdoor or off-site facilities for the academic year.
  2. Recruit and select a “Concession Volunteer Coordinator(s).” The sole duty of the Concession Volunteer Coordinator(s) shall be to schedule volunteers (representing the various sports teams) to manage the concession for specific events;
  3. Recruit committee members to assist in set up and tear down for all indoor, outdoor and off-site concession events;
  4. Meet as necessary with committee members to ensure that these duties are met.
  5. Record the labor-hours incurred for each event, allocated to the specific sports teams represented;
  6. Record the concession expenses and revenues for each event;
  7. Acquire all provisions required for the concession stands, and replenish supplies as needed;
  8. Report to the Executive Board regarding all matters related to concessions;
  9. Maintain an accounting spreadsheet which tracks inventory amounts, inventory costs, and profits throughout the course of each year and provide the same regularly to the Treasurer;
  10. Maintain and refer to the accounting spreadsheets from prior years to provide information related to anticipated costs, spending trends, anticipated profits, and accurate purchasing for future events.
  11. Nominate a successor chairperson for the next academic year.
  12. Operate within an established budget, as designated by the Executive Board.
  13. Regularly report to the Treasurer and/or Co-Treasurer to ensure budget requirements are met, and correct information is communicated to the Executive Board.

**APPENDIX 4.1 (Continued)**

**DUTIES OF POTENTIAL DISCRETIONARY COMMITTEES**

**(None of the Below are required. In the event the Executive Board votes to form a Discretionary Committee in any academic year for the below functions, which shall be in the Executive Board's sole discretion, the duties set forth herein shall apply. The Executive Board may modify the duties at any time at its discretion.)**

**Fundraising**

In the event of the creation of a Fundraising Committee, the Duties of the Fundraising Committee Chairperson shall include:

1. Recruit committee members for Fundraising Committee, oversee the committee and ensure all responsibilities are met.
2. Maintain a list of current sponsors with current contact information and the name of the contact person for the business, which will be provided to the Treasurer regularly.
3. Obtain a list of current members with current contact information from the Secretary.
4. Work with the Treasurer to obtain information related to anticipated sponsors and financial needs of the Booster Club.
5. Turnover all monies received from sponsors or members to the Treasurer for the Treasurer to properly handle accounting.
6. Regularly report to the President to ensure correct information is communicated to the Executive Board in a timely manner and attend General Meeting to the extent possible.
7. Seek approval of the Executive Board for any multi-year sponsorship agreements, and/or any sponsorship arrangement that does not adhere to the Business Sponsorship tiers set forth by these.
8. Ensure that any banners or listing of Business Sponsors are properly handled in accordance with the bylaws and as necessary to coordinate with the BHS staff or Berthoud community publications for the display of such sponsors in accordance with Sponsorship levels and agreements.
9. Volunteer or ensure committee member volunteers attend BHS events ot other community events as needed to raise awareness and to secure memberships and sponsorships for the Booster Club.
10. Ensure that members and sponsors benefits are fulfilled.
11. Operate within an established budget, as designated by the Executive Board.

**APPENDIX 4.1 (Continued)**

**DUTIES OF POTENTIAL DISCRETIONARY COMMITTEES**

**(None of the Below are required. In the event the Executive Board votes to form a Discretionary Committee in any academic year for the below functions, which shall be in the Executive Board's sole discretion, the duties set forth herein shall apply. The Executive Board may modify the duties at any time at its discretion.)**

**Homecoming**

In the event of the creation of a Homecoming Committee, the Duties of the Homecoming Committee Chairperson shall include:

* + 1. Recruit committee members for Homecoming Committee, oversee the committee and ensure all responsibilities are met.
    2. Coordinate with the Athletic Director and BHS staff regarding the parade starting time and release of students if on a school day
    3. Coordinate with the Town of Berthoud and local law enforcement regarding street closures and signage for the parade.
    4. Give notice to the Berthoud Weekly Surveyor of the Homecoming event schedule for inclusion in the paper no later than 30 days prior to the parade.
    5. Oversee the parade line up in a safe and efficient manner.
    6. Coordinate with parent volunteers as needed to allow for any event to occur in a safe and efficient manner and in accordance with any requirements of the Town of Berthoud, local law enforcement, TSD and BHS.
    7. Coordinate with BHS Student Council regarding the Homecoming court and to the extent necessary to ensure student participation in the activities.
    8. Within one week after any events, ensure removal of any signage or decorations, and safely store items for future use.

**APPENDIX 5.1**

**TEAM FUNDING REQUEST FORM**

**APPENDIX 6.2**

**PARENT LIAISON FORM**