**Mavericks Gymnastics Booster Club**

**Bylaws**

**08 Jun 2023**

**V2.00**

1. Document Status and Revision History

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2. Document Authorization

| Name | Title | Signature |
| --- | --- | --- |
| Christina Matheson | President |  |
| Alecia Johnson | Vice President |  |
| Sennin Kellen | Secretary |  |
|  | Treasurer |  |
|  | Trustee |  |

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**4. Article I - General**

**4.1 Organizational Name**

The name of this organization is Mavericks Gymnastics Booster Club.

**4.2 Purpose**

This organization is intended to operate as a 501(c)(3) non-profit to foster and promote the art of youth, girls’ gymnastics in amateur gymnastics competitions and training with the ultimate objective of fostering and preparing the Team for local, state, collegiate, and national competitions. The organization is purposed to promote youth gymnastics, education, to reduce childhood obesity, and juvenile delinquency. The organization is a non-profit, fundraising entity which exists to support the developmental, compulsory, optional, XCEL, and elite gymnasts of Mavericks Gymnastics, San Antonio, TX.

**4.3 Objectives**

Support the emotional, mental, and physical development of all gymnasts throughout their tenure as members of Mavericks Gymnastics Booster Club.

1. Promote sportsmanship and fellowship within the membership.
2. Provide financial support for Mavericks Gymnastics Booster Club competitive gymnasts in all levels of competition.
3. Conduct activities IAW the USA Gymnastics rules and in an ethical manner, ensuring fairness and reason in all decisions.

**4.4 Basic Policies**

1. The Booster Club shall be noncommercial, nonsectarian, and nonpartisan.
2. No part of the net earnings of the Booster Club shall inure to the personal benefit of its members, directors, officers, or other private persons for services rendered except that the Booster Club shall be authorized and empowered to pay reasonable compensation for services rendered and to make payments and distributions in furtherance of the purposes set forth in Article I.
3. Notwithstanding any other provision of these articles, the Booster Club shall not carry on any other activities not permitted to be carried out by an organization exempt from federal income tax under Section 501(c)(3) of the Internal Revenue Code.
4. Upon the dissolution of this Booster Club, after paying or adequately providing for all debts and obligations of the Booster Club, the remaining assets shall be distributed to one or more nonprofit funds, foundations, or organizations which have established their tax-exempt status under 501(c)(3) of the Internal Revenue Code.
5. The association or members in their official capacities shall not-directly or indirectly-participate or intervene (in any way, including the publishing or distributing of statements) in any political campaign on behalf of, or in opposition to, any candidate for public office; or devote more than an insubstantial part of its activities to attempting to influence legislation by propaganda or otherwise.

**5. Article II - Membership**

**5.1 Membership**

Only members of Mavericks Gymnastics Booster Club who are in current good standing shall be eligible to serve in any elected/appointed position, participate in club business/activities, and vote.

Individuals eligible for membership in the organization are limited to:

1. All parents, adopted parents, stepparents, guardians, or custodians of designated pre-competitive and competitive team gymnasts of Mavericks Gymnastics.
2. Any person who by majority vote of members present at any regular meeting of the Mavericks Gymnastics Booster Club is elected to honorary membership in the organization.
3. The employees of Mavericks Gymnastics will be given EX Officio membership, if not full membership by virtue of Article II. Ex Officio members will be kept informed of all activities, invited to attend meetings and functions, but will not vote in the organization.
4. Membership shall be open, without discrimination, to anyone who is a part of Mavericks Gymnastics’ competitive team.

**5.2 Membership Requirements**

Any individual eligible for membership, pursuant to Section 5.1, shall be required to sign a Letter of Understanding (attachment 1) and pay the following in a timely manner:

1. Each member shall pay an annual membership fee per gymnast due every June, or a different amount if approved by the Executive Board. New members must pay upon joining the organization. The membership fee shall be voted and agreed upon for the upcoming fiscal year by its members during the required annual meeting IAW Section 9.2 of this document.
2. Coaches and competition fees based on the competitive level of the gymnasts must be paid directly to Mavericks Gymnastics on a schedule determined by Mavericks Gymnastics.
3. Optional coaches’ fees and meet registration fees are to be paid directly to Mavericks Gymnastics on a schedule determined by Mavericks Gymnastics.

Members having more than one gymnast in the program must assume all financial obligations for each gymnast.

**5.3 Membership Termination**

The Executive Board is authorized to enforce compliance with the provisions of the Articles of Incorporation, these Bylaws, policies, rules of conduct, or regulations governing the Organization. Membership may be suspended, or the member expelled, by a two-thirds vote of the Executive Board. Thirty (30) days’ notice shall be given to the member of the grounds for removal and an opportunity must be afforded to be heard at least ten (10) days prior to such suspension or expulsion from membership. Upon request of the member, a right of appeal to the membership shall be granted at the next meeting of the membership following the imposition of the penalty.

**5.4 Representation**

1. All members, excluding Ex Officio members, will be given one vote per membership. The term “Membership” shall include all members in any family. Accordingly, each family (which may include one member and/or one gymnast) shall receive one vote on any matter presented to the members.
2. Members must be present to vote. Some meetings may allow video conference as determined by the Executive Board.
3. All members will be given a forum to express their views at the quarterly meetings.

**6. Article III - Organization**

**6.1 Elections**

1. The membership shall elect officers of the organization to lead and coordinate the organization and its activities.
2. Nomination for officers of the Executive Board will be held each April by posting at Mavericks Gymnastics or polling through email.
3. An annual meeting will be held between April 1st-15th where members can submit their ballots for the election of officers, provided a quorum is present. Any members unable to attend may submit their ballot to the existing board one day prior.

**6.2 Officers**

1. The officers shall serve a term of twenty-five (25) months beginning one month prior to the beginning of the fiscal year to allow overlap with new officers and provide a smooth transition.
2. No officer shall serve more than two (2) consecutive terms in the same office.
3. Officers shall not receive any financial compensation for their service.
4. Officers may receive credit for hours worked as volunteered hours as applicable.
5. The elected officers shall be in the position of President, Vice President, Treasurer, Secretary, and Trustee/General Board member.
6. The Executive Board shall serve a two (2) year term or until they resign, are unable to serve, or are removed and until their successors are elected and qualified.
7. Half of the elected terms start on even years and half start on odd years.
8. Any vacancy in the Executive Board may be filled by majority vote at any meeting of the Executive Board at which a quorum is present.

**6.3 President Responsibilities**

1. Shall preside over all meetings.
2. Shall have general supervision and direction over all other officers to ensure their duties are properly performed.
3. Shall execute, acknowledge, and deliver in the name of the organization all deeds, certificates, contracts, or other instruments necessary in carrying on the affairs of the organization when approved by the Executive Board. He/she shall also have the authority to attach the seal of the organization to any instrument requiring as such.
4. Shall call all general and special meetings.
5. Shall be a member Ex Officio of all committees except the nominating and financial reconciliation committees.
6. Shall perform other duties as assigned by the Executive Board or amended by these bylaws.

**6.4 Vice President Responsibilities**

1. Shall, in the absence of the President, be vested with all his/her authority to perform all his/her duties.
2. Shall also act as the Ex Officio member on all standing and special committees of the organization.
3. Shall be responsible for and ensure all Committee Chairs are performing assigned duties and requirements.
4. Responsible for obtaining all required signatures for all required documentation.
5. Shall initiate new members.
6. Shall oversee any gymnastic meet which Mavericks Gymnastics hosts.
7. Shall be responsible for overseeing Sports Engine (third party vendor) use.
8. Shall oversee the Team app use and updates.

**6.5 Secretary Responsibilities**

1. Shall keep all records and proceedings of all meetings of the organization and Executive Board.
2. Shall maintain the custody and be charged with the safekeeping of all records, papers, documents, and books of the organization.
3. Shall collect all Parent agreements and Coaching Fee agreements.
4. Shall serve all notices required by the bylaws.
5. Shall keep and maintain a roster of all members in good standing with the organization and such a list, when certified, shall constitute prima facie evidence of the right of the persons named therein to participate in the affairs of the organization.
6. Shall be responsible for administration of all social media, website (Sports Engine), and advertisement of events as applicable.
7. Shall be responsible for uploading meeting agenda and meeting minutes to Sports Engine.
8. Shall be responsible for updating Team App with new members and granting access.
9. Shall update the Team App with updates regarding team practice, meet schedules, team meetings, booster club meetings, and upcoming events.

 **6.6 Treasurer Responsibilities**

1. Shall be the chief disbursing officer of the organization.
2. Shall maintain a full and accurate account of the receipts and disbursements of the organization.
3. Shall make proper vouchers and receipts for each disbursement.
4. Shall provide monthly financial reports.
5. Shall maintain and balance financial and expense accounts/records.
6. Shall maintain and manage the checkbook or debit card.
7. Shall distribute any checks or debit purchases required by the organization. Shall deposit all receipt of monies in the organization’s banking institution within five (5) business days.
8. Shall keep the President advised of any expenditures to be incurred or funds to be provided.
9. Shall, at the completion of their term, turn over all records, checkbook, and debit card pertaining to the organization to their successor and the Executive Board may conduct an audit of those records.
10. Shall update Sports Engine (third party vendor) with new members and fees to be collected.
11. Shall review Sports Engine to ensure payments are received by members. Shall notify the president and vice president of any member who is not in good standing.

**6.7 Trustee Responsibilities**

1. Shall set up the venue for all board meetings as indicated in Section 9 of these Bylaws.
2. Shall administer sign-in documentation and record attendance.
3. Shall greet new members and brief them on Booster Club meeting protocol and procedures.
4. Shall ensure the meeting starts and ends during the scheduled time.
5. Shall collect ballots and tally votes as required.
6. Shall maintain order and keep meeting on point. In extreme cases, may eject disruptive members.
7. Upon completion of the meeting shall restore the room to its original state and safeguard any equipment/supplies owned by the Booster Club.
8. Shall identify and report any Booster Club Bylaws violations, conduct unbecoming, or misrepresentation by its members to the Executive Board.

**6.8 General Board Member Responsibilities**

1. Shall assist the President and Vice President.

**6.9 General Board Member Responsibilities**

A) Shall assist the Treasurer and Secretary.

**6.10 Replacement of Officers**

1. If an officer relinquishes his/her office prior to the end of term, the Executive Board will elect a replacement.
2. If an elected officer is not fulfilling their responsibilities, the Executive Board has the authority to remove and replace that person by a majority vote and replace them by special election.
3. If no nomination is received for an office, the Executive Board will temporarily assign their duties to another board member.

**6.11 Officer Eligibility**

1. Must have a competitive gymnast that has completed at least one competition season.
2. Must have accounts in good standing with both the Booster Club and Mavericks Gymnastics.

**6.12 Executive Board**

1. Shall consist of at least five (5) members.
2. Shall be comprised of the five (5) elected officers and two (2) general board members.
3. General board members will be voting members of the board. One to assist the President and Vice President and one to assist the Treasurer and Secretary.
4. Will constitute the governing body of the organization.
5. Will be responsible for authorizing and controlling all organization activities, expenditures, and policies in a manner consistent with the Mavericks Gymnastics Booster Club Bylaws and the Texas Non-profit Organizational Code.
6. Each Executive Board member, excluding parent representatives, shall have one vote. In the event of a tie, the presiding officer shall have an additional vote. An affirmative vote by the majority of the board members represented at any meeting shall be the act of the Executive Board, unless otherwise required herein or by Texas Non-Profit Code.
7. Any proposed changes to the Bylaws must first be approved by the Executive Board. Upon approval, the proposed changes will be brought before the general membership for ratification.

**6.12 Committees**

1. Committees will be appointed by the Executive Board to direct the activity of fundraising programs, organizational hosted meets, and as conditions warrant.
2. Committees will be directed by a chairperson who will report this activity to the Executive Board.

**6.13 Liability**

1. Neither the directors nor the officers shall be personally liable for the debts, liabilities, or other obligations of the organization.
2. To the extent that a person who is, or was, a director, officer, or other agent of this organization has been successful on the merits in defense of any civil, criminal, administrative, or investigative proceeding brought to procure a judgment against such person by reason of the fact that he/she is, or was, an agent of the organization, or has been successful in defense of any claim, issue or matter, therein, such person shall be indemnified against expenses actually and reasonably incurred by the person in connection with such proceeding.
3. If such person either settles any such claim or sustains any such judgement against him or her, then indemnification against expenses, judgements, fines, settlements, and other amounts reasonably incurred in connection with such proceedings shall be provided by this organization, but only to the extent allowed or permitted by Texas Law.

**7. Article IV - Finance**

**7.1 Budget**

An annual budget for the upcoming fiscal year is to be submitted for approval by the Executive Board prior to the beginning of the fiscal year. Funds shall be used as determined by the Executive Board within the framework of the budget.

**7.2 Meet/Coaches Fees (quota)**

1. Coach allowed reimbursable expenses, amount allowed, and payment process shall be identified in a separate document called “Coaches Fees Regulations”.
2. The Coaches Fees Regulations document must be ratified by the members and signed by each coach annually.
3. Meet and coaches’ quota for each gymnast will be determined by the Executive Board at the beginning of each fiscal year based on number of meets attending and available fundraising funds.
4. Quotas will be based on team level assigned.
5. If a family becomes a member after the start of the fiscal year, quotas may be adjusted for the portion of the season remaining. There will be a thirty (30) day grace period for new members to become current.
6. The payment of the quota will be established by the Executive Board.
7. Full payment is due within five (5) business days of the assigned due date. A delinquent account will result in the team member being ineligible to be entered in competitions or participate in any other Organization functions until such time as the account becomes current. Any late fees incurred by the Organization during this time must be paid by the member.
8. After the current year quota, or any supplemental quota, is paid in full, any remaining and unused amount in excess will be refunded to the member.
9. Excess quota can be transferred from one member to another only at the direction of the contributor.
10. Any member with more than one child participating will be assigned quotas for each gymnast.

**7.3 Session Fees**

1. Session fees are $85.00 per session per coach.
2. Session fees will not exceed $300 per day per coach.
3. Only one coach is authorized payment if less than ten (10) gymnasts are in any given session.
4. Gymnasts are in multiple groups during the same session.
5. Event/meet has multiple venues and Mavericks gymnast sessions overlap or coach is unable to attend the session’s coaches meeting and/or warm-up periods.
6. The event/meet specifically requires two coaches. Documentation is required.
7. A majority vote by Parents of the gymnasts of team subset for a venue/meet for Team morale. Coach will be in role of assistant and will be paid at a reduced session fee rate. The rate will be voted upon the Coaches Fees and Regulations. All other reimbursement rules apply.
8. To meet/satisfy safety requirements made by the board.

**8. Article V - Fiscal Accountability**

**8.1 Fiscal Year**

The fiscal year of this Booster Club shall begin 01 June and end the following 31 May.

**8.2 Bank Signers**

Signers of the bank account shall not be related by blood or marriage and shall not reside in the same household.

Checks over $250.00 must be signed by at least 2 Booster Club officers.

**8.3 Financial Reconciliation**

1. A financial reconciliation shall be performed:
	* + At the end of the fiscal year;
		+ When any authorized check signer is added or deleted on any bank account;
		+ At any time deemed necessary by the president or three or more members.
2. The President shall appoint, subject to the approval of the Executive Board, a financial reconciliation committee of not less than two members, who are not authorized signers. Members of the reconciliation committee shall not be related by blood or marriage and shall not reside in the same household as authorized signers.
3. For financial reconciliation to be performed at the end of the fiscal year, the President shall appoint the financial reconciliation committee at least thirty (30) days before the last meeting of the year.
4. The financial reconciliation committee report shall be adopted by a majority vote of the Booster Club at the first meeting following the financial reconciliation.

**9. Article VI - Meetings**

**9.1 General Meeting**

The general membership will meet once quarterly. The President will preside over all meetings. The Executive Board will call all general meetings.

**9.2 Annual Meetings**

The annual meeting of this Organization shall be at such location, date, and hour as may be set by the Executive Board each year, but shall be no later than May, for the purpose of the election of officers and for such other business as may be required.

**9.3 Special Meetings**

Special meetings of the Organization may be called by the President or by majority of the Executive Board by filing with the Secretary a written call for such meeting, stating the time and place and object thereof, and at such meeting only the specific business mentioned in the call shall be acted upon. If a special meeting is called by members, the request shall be submitted in writing, specifying the purpose of the meeting, and shall be sent to the President at the organization. The President forthwith shall cause notice to be given to members entitled to vote that a meeting will be held and the date for such meeting. If the notice is not given within the fourteen (14) days after receipt of the request, the persons requesting the meeting may give the notice.

**9.4 Meeting Requirements**

1. The Secretary shall electronically transmit to each member at his/her last known email address a notice of the holding of any meeting not less than ten (10) or more than thirty (30) days before the date of the meeting. The notice shall specify the place, date, and hour of the meeting and in the case of a special meeting, the purpose of the meeting, or in the case of the annual meeting, a list of the nominees for officers and any other matter which the Executive Board intends to present for action by the members.
2. At all meetings, only members in good standing who are present in person shall be entitled to vote. No proxy voting shall be permitted, except as otherwise set forth herein.
3. At any meeting of this organization, five (5) members must be present in person to constitute a quorum for the transaction of business. If a quorum is present, the affirmative vote by the majority of the members represented at the meeting shall be the act of the members.
4. The Executive Board will meet prior to all general membership meetings and, additionally, as required. The President will call and chair all Executive Board meetings.
5. A special meeting of the general membership can be called upon the request of 50% of the general membership.
6. A quorum at a board meeting will be constituted by the simple majority of the Executive Board.
7. Voting at all meetings will be done by a show of hands, with the exception of the election of officers - in accordance with Article III.

**10. Article VIII - Fundraising**

**10.1 General**

Any and all fundraising performed on behalf of/or through the organization shall fully comply with the Texas Non-Profit Corporations Code and be consistent with those activities permitted of a tax-exempt 501(c)(3) organization. Subject to these requirements, and in additional thereto:

1. Fundraising programs will be conducted in accordance with USA Gymnastics and National Collegiate Athletic Association (NCAA) eligibility guidelines.
2. Fundraising will be used to supplement quotas of each gymnast and support approved team building activities. Funds will be distributed fairly and voted on by the Executive Board.
3. The Board shall in good faith explore and furnish sufficient fundraising opportunities/activities to the general membership.
4. The collected funds will be counted, the voucher signed by two parties, and then turned over to the Treasurer for deposit.

**11. Article VIII - Other**

**11.1 Agreements**

The Board of Directors may authorize any officer or officers, agent or agents, to enter into any contract or execute and deliver any instrument on behalf of the organization, and such authority may be general or confined to specific instances.

**11.2 Loans**

No loans shall be contracted on behalf of the organization, and no evidence of indebtedness shall be issued in its name.

**11.3 Checks**

All checks, drafts, or other orders for the payment of money issued in the name of the organization shall be signed by such officer or officers of the organization.

**12. Article IX - Amendments**

**12.1 Guidelines**

1. These bylaws may be amended at any meeting of the Booster Club, provided a quorum is present, by two-thirds vote of the members present. Notice of each proposed amendment shall be provided to the membership through regular channels thirty (30) days prior to the meeting at which the amendment is voted upon or at the previously scheduled regular meeting.
2. A committee may be appointed to submit a revised set of bylaws as substitute for the existing bylaws only by a majority vote at a meeting of the Booster Club or two-thirds vote of the Executive Board. Upon approval by a two-thirds vote majority, the adopted amendment or revision of the bylaws will take immediate effect.
3. The bylaws shall be revised and amendments published within ten (10) business days.