

Creekview High School Competition Cheer Bylaws

Article I Name and Purpose

Section 1.01. Name. The name of this organization shall be Creekview High School Competition Cheer Board.

Section 1.02. Purpose. The organization is created and operated for the charitable and educational purposes of promoting competitive cheerleading at Creekview High School.

Article II Executive Board

Section 2.01. Membership. The Executive Board shall consist of the appointed and elected officers of the organization.

Section 2.02. Authority. The Executive Board shall manage the affairs, activities, and operation of the organization. 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 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 2.03. Meetings. The Executive Board shall meet monthly to prepare for general membership meetings and to conduct the affairs of the organization.

Section 2.04. Quorum. A quorum of the Executive Board for the conduct of business shall consist of at least three (3) officers in attendance.

Section 2.05. 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 approve the specific action. Such consents shall have the same strength and effect as a unanimous vote of the Board or of the committee.

Section 2.06. Participation in Meeting by Conference Telephone or Virtual Meeting. Members of the Board may participate in a meeting using conference telephone, virtual meeting platforms, or similar communications equipment, so long as members participating in such a meeting can hear one another.

Section 2.07. 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 III

Officers and Their Elections

Section 3.01. Officers. The officers of this organization shall include one President, one or more Vice Presidents, a Secretary and a Treasurer and such additional officer(s) as may be elected or appointed by the Executive Board from time to time.

Section 3.01.A. The head coach will select the position of President and Treasurer. Members of the Executive Board will elect the Vice President(s) and Secretary. These offices shall be elected annually for a term of one year. These officers, along with the activities head coach or sponsor, shall compromise the executive committee of the organization. Individuals who have been served on the Executive Board and have vacated their position willingly or unwillingly shall not be permitted to serve on the Executive Board in future years.

Section 3.02. Election. A nominating committee composed of the current President and at least one additional officer shall begin seeking nominees in twelfth month 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.

New officers may be appointed/elected after tryouts, at a meeting of the organization by the coaches/board. Officers shall assume their official duties after tryouts and team placement are complete.

Section 3.03. Term. Officers may be elected for up to four consecutive terms in the same office, unless otherwise deemed by the Coach and Board. Officers will begin serving each term post-tryouts through the next tryout cycle. If an officer has reason to leave at the conclusion of the cheer season, the vacancy may be filled as noted below.

Section 3.04. 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.

Section 3.05 Board Continuity Planning. In the event of an unexpected coaching change, the board shall remain in place throughout the current season to maintain consistency and continuity for the protection of the program and athletes. The head coach may not select a new President and Treasurer once the competition team has been selected.

Article IV

Duties of Officers

Section 4.01. 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 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 families. 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 4.02. 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 4.03. 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 4.04. Treasurer. The Treasurer shall be a member of the Executive Board. The Treasurer is the authorized custodian to have an 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 deposited in a timely manner into the organization's authorized bank account(s).
- Ensure that payments and disbursements are authorized by an 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.)
- Maintain financial records (including financial reports, check book, bank statements, deposit slips, cash tally sheets, documentation regarding transactions, IRS Form 990 documents, etc.) and turn all over to the new treasurer.

Article V Finances

Section 5.01. 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 5.02. 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 5.03. Loans. No loans shall be made by the organization to its officers or members.

Section 5.04. 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 5.05. Banking. The Treasurer shall ensure that all funds of the organization are deposited in a timely manner 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 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 5.06. Financial Controls. The organization should 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 membership by way of approval of an annual budget, or amendments thereto, or be approved by separate resolutions of the Executive Board.
- Expenses and payments for all items, including but not limited to uniforms, music, choreography, practice facilities, and camps, must be approved by the majority vote of the Executive Board.

Section 5.07. Fiscal Year. The fiscal year of the organization shall be from June 1 to May 31 but may be changed by the resolution of the Executive Board.

Section 5.08. 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 books, binder, or cloud-based software.	<u>At least seven (7) years</u> Consider keeping permanently.
Bank statements, canceled checks, check registers, invoices, receipts, cash tally sheets, investment statements, and related documents	Compile & Kile records on a yearly basis. Store in binder or cloud-based software.	<u>Seven (7) Years</u> Store w/Financial records. Destroy after seven years.
Treasurer's reports (monthly)	Compile & Kile records on a yearly basis. Store in binder or cloud-based software.	<u>Three (3) Years</u> Store w/ Financial records. Destroy after three years.

Article VI Junior Program

Section 6.01 Guidelines. The Creekview/Creekland Junior Cheer program is an entity of the Creekview High School Competition Board/Booster Club, as per Cherokee County School District Athletic Handbook guidelines.

Section 6.02 Participation. Students who participate in the Junior program must be associated with/zoned to attend Creekview High School.

Section 6.03 Coaching. The head coach for the Creekview Junior Cheer program must be approved unanimously by the Creekview High School Competition Cheer Executive Board.

Section 6.04 Payment and Finances. The Creekview High School Competition Cheer Executive Board/program will not cover payments to or expenses for the Creekview Junior program, including but not limited to coaching fees. The Executive Board has no obligation to provide any financial support to the Junior program for any reason.

Article VII Conflicts of Interest

Section 7.01. Existence of Conflict, Disclosure. Directors, officers, employees, and contractors of the Corporation 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 Corporation. 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 Corporation. If any such conflict of interest arises the interested person shall call it to the attention of the Board of Directors for a resolution. If the conflict relates to a matter requiring board action, such a 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 who is having a conflict shall not participate in the Kinal deliberation or decision regarding the matter under consideration and shall retire from the room in which the Board is meeting.
However, the person may be permitted to provide the Board with 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 Kinal 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 Corporation, or who hereafter becomes associated with the Corporation. 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 Corporation may be indemnified by the Corporation 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 Corporation, 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 Corporation. The foregoing right of indemnification shall be in addition and not exclusive of all other rights which such members of the Board, officer or employee are entitled.

ARTICLE IX
Amendments

These Bylaws may be amended at any regular or special meetings of the membership by a majority vote of the board members present, provided that thirty (30) days' notice.

