



ALHAMBRA
UNIFIED SCHOOL DISTRICT

Booster Club Application Packet

Fiscal Year _____

Contents for Submission:

- Application
- Officer Information
- Bank Information (*Prior Financial Statements*)
- Budget (*Prior and Current year*)
- Constitution
- Bylaws
- Proof of Insurance

Note: Any information or documentation missing from this packet will prohibit a booster club from being approved by AUSD Board of Education. Thus, the organization will be prohibited from acting as a booster of AUSD.

**ALHAMBRA UNIFIED SCHOOL DISTRICT
BOOSTER CLUB APPLICATION**

Fiscal Year _____

Application Date: _____

Booster Club Name: _____

Name of School: _____

Approval is hereby requested for the operation of the:

_____ **Booster Club**
Name of Organization

Purpose/Objectives of the Booster Club are:

On behalf of the members of this Booster Club, I have read and understand the Alhambra Unified School District's Board Policy and Regulations for forming and conducting this organization and agree to abide by them.

Signature of Booster Club President Date

School Principal Date

AUSD Board Recognition and Approval

Alhambra Unified School District	
BY:	
President	Date
By:	
Assistant Secretary	Date

**ALHAMBRA UNIFIED SCHOOL DISTRICT
BOOSTER CLUB BANK INFORMATION**

Booster Name: _____

School: _____

Club: _____

Date: _____

Are a 501C Nonprofit Organization

Are NOT a 501C Nonprofit Organization

1	Account Type	Signor 1
Bank Name	Tax ID Number	Signor 2
		Signor 3

2	Account Type	Signor 1
Bank Name	Tax ID Number	Signor 2
		Signor 3

I, hereby certify that the listed bank information is accurate and complete with respect to _____ Booster Club.

Signature Title

Name (Please Print)

Constitution of the _____ Booster Club Constitution

Preamble

_____ Booster Club of Alhambra Unified School District, do desire to share in good fellowship and through its services promote the betterment of the _____.

We desire to form an organization with the following rules which are for the purpose of directing and in no way intended to restrict. Its purpose is to provide regular and systematic organization activities.

Article 1-Name

The organization shall be known as the _____ Booster Club in association with _____ School

Article 2-Purpose

The mission and purpose of this organization shall be:

- To unite the parents, students, faculty, alumni, and community in the common interest of supporting and encouraging participation in interscholastic sports programs, recognizing the integral role athletics play in the education and development of our students;
- To promote the mental, physical, emotional, and social benefits of interscholastic athletic competition at _____ High School;
- To instill a sense of school pride and school spirit in all of our athletes and the community at large
- To provide financial support to (XYZ)HS athletic programs; and
- To recognize and reward student athletes for participation in our athletic programs.

Article 3-Membership

Section 1, Eligibility

Any man or woman who is interested in taking an active part in lending his or her services shall be eligible. Interested persons must also fill out a membership form. Officers shall automatically be granted full membership and voting rights during their time in office and shall otherwise be exempt from annual membership requirements.

The _____ Booster club will not discriminate on the basis of age, color, gender, gender identity, disability status, height, marital status, national origin, political persuasion, race, religion, sexual orientation, veteran status, or weight.

Section 2, Voting Rights

The right to vote on matters pertaining to the decisions and operations of the _____ Booster Club shall only be conferred on those who have fulfilled the current annual requirements for membership as designated by filling out a membership form other means that shall be set annually by the Boosters to recognize full membership. Voting rights take effect ten days after membership requirements have been fulfilled.

Section 3, Officers

The officers shall be a President, a Vice President, a Secretary, and a Treasurer. The officers will be elected from the Board of Directors by a majority of the Board of Directors and shall serve for a term of two (2) years and until their qualified successor has been duly nominated and elected.

A. President

1. Will preside at all meetings.
2. Shall vote on matters before the Board only if that vote is needed to break a tie.
3. Will be the official liaison between the Boosters and School.
4. Subject to approval of the Board of Directors, the President will appoint all Standing and Special committees.

B. Vice President

1. Will assist the President in his duties and preside at meetings in the absence of the president.
2. Will succeed the President in the case of a vacancy in the office until the next regularly scheduled election.

C. Secretary

1. Will be responsible for minutes being kept of meetings.
2. Will issue timely distribution of the minutes to members of the Board of Directors
3. Will maintain permanent records of the Boosters.
4. Will maintain the membership rolls.

D. Treasurer

1. Will be the custodian of all funds of the organization;
 - supervise and accurately record all receipts and disbursements of funds;
 - report to the membership on all receipts, disbursements, and financial statements of the organization at each regular meeting;
2. Prepare a monthly financial report for the Board of Directors.
3. Prepare an annual financial report.

E. The Board of Directors in regular session may elect, from the Board of Directors, a replacement for an officer who has resigned from the board.

Article 5-Meetings

The general meetings are held monthly, July through June.

Monthly meeting dates will be established for the year by the board at the September meeting.

Special meetings may be called by the Booster Club President or other designee.

Article 6-Amendments

Proposed amendments of the Constitution and Bylaws of the _____ Boosters Club shall be presented in writing to the Board of Directors at least 25 days prior to the time of voting, read at a General Meeting, and voted on at the following general meeting. Any amendment inaugurated must carry a majority vote of the members present.

Bylaws
of
[Insert Booster Club Name]
(A Non-Profit Corporation)

Article One
Name and Location

Section 1. The name of the organization shall be **[Insert Booster Club Name]**.

Section 2. All club meetings may be held at such places within the Alhambra Unified School District (AUSD) as designated by XYZ Booster Club officers.

Article Two
Purposes and Structure

Section 1. Purposes. This corporation is organized exclusively for charitable, literary, and educational purposes as defined in Section 501(c)(3) of the Internal Revenue Code. The purposes of the Corporation include raising funds and purchasing personal property and services to be used by students and faculty at **[Insert Booster Club Name]** providing volunteers for educational and / extracurricular activities that will contribute to the public education of the community; engaging in other charitable, civic, or educational activities that will contribute to the public education of the community; and exercising other powers conferred by the laws of Texas on nonprofit corporations.

This Corporation shall be self-governing, self-supporting, non-commercial, non-sectarian, nonprofit and nonpartisan, and shall seek neither to direct the administrative activities of the Kilgore Independent School District nor to control its policies.

No part of the net earnings of the Corporation shall inure to the benefit of any director of the Corporation, officer of the Corporation, or any private individual (except that reasonable compensation may be paid for services rendered to or for the Corporation affecting one or more of its purposes); and no director, officer or and private individual shall be entitled to share in the distribution of any of the corporate assets on the dissolution of the Corporation. No substantial part of the activities of the Corporation shall be the carrying on of propaganda, or otherwise attempting to influence legislation, and the Corporation shall not participate in, or intervene in (including the publication of statements) any political campaign on behalf of any candidate for public office.

The Corporation shall not conduct or carry on any activities not permitted to be conducted or carried on by an organization exempt from taxation under Section 501(c)(3) of the Internal Revenue code and Regulations as they now exists or as they may be amended.

The Corporation shall observe the following regulations: Alhambra Unified School District Board Policies and Regulations, California Education Code, and all local, state and federal laws which apply to nonprofit organizations.

Upon dissolution of the Corporation or the winding up of its affairs, the assets of the Corporation shall be distributed exclusively to the general Associated Student Body account of XYZ School.

The Corporation is organized pursuant to the California Nonprofit Corporation Act and does not contemplate pecuniary gain or profit and is organized for nonprofit purposes which are consistent with the provisions of Section 501 (c)(3) of the Internal Revenue Code and its Regulations as they now exist or as they may be hereafter amended.

Article Three **Membership**

Section 1. Membership. Section 1, Eligibility

Any man or woman who is interested in taking an active part in lending his or her services shall be eligible. Interested persons must also fill out a membership form. Officers shall automatically be granted full membership and voting rights during their time in office and shall otherwise be exempt from annual membership requirements.

No members of the booster shall be expected to pay annual membership dues. Each member will be expected to help support activities and fund raising efforts that benefit the [Insert Support Group] and the goals set forth by the booster. This expected support could be through the volunteering of time, baked or donated goods, or monetary donations.

Article Four **Directors**

Section 1. Qualification. Any member in good standing is eligible to serve on the Board of Directors.

Section 2. Powers. The Board shall be the governing body of the organization and shall manage, control, and direct the affairs and property of the organization.

Section 3. Compensation. No Director shall receive compensation for any service he or she may render to the organization. Board members may be reimbursed for actual expenses incurred in the performance of their duties.

Section 4. Officers. Officers shall be elected at the last general business meeting at the end of each season and will take office immediately. The nominating committee will name a slate of officers and the floor will also be open for nominations. The officers will be elected by simple majority of the membership present. Vacancies of offices of unexpired

terms shall be filled by appointment by a majority of the remaining officers. The officers and their respective duties are as follows:

a. The President shall:

- Regularly meet with the designated district representative regarding booster activities;
- Preside at all meetings of the organization;
- Resolve problems in the membership;
- Regularly meet with the treasurer of the organization to review the organization's financial position;
- Schedule annual audit of records or request an audit if the need should arise during the year;
- Perform any other specific duties as outlined in the bylaws of the organization.

b. The Vice President shall:

- Preside at meetings in the absence or inability of the president to serve;
- Perform administrative functions delegated by the president;
- Perform other specific duties as outlined in the bylaws of the organization.

c. The Secretary shall:

- Report on any recommendations made by the executive board of the booster organization if such a governing board is defined by the bylaws;
- Maintain the records of the minutes, approved bylaws and any standing committee rules, current membership and committee listing;
- Record all business transacted at each meeting of the association as well as meetings of any executive board meetings in a prescribed format;
- Maintain records of attendance of each member;
- Conduct and report on all correspondence on behalf of the organization;
- Other specific duties as outlined in the bylaws of the organization.

d. The Treasurer shall:

- Serve as chairperson of the Budget and Finance Committee if prescribed within the bylaws of the organization;
- Issue a receipt for all monies received and deposit said amounts on a weekly basis (daily if receipts on hand exceed \$ 250.00);
- Present a current financial report to the executive committee and general membership within thirty days of the previous month end;
- File current financial reports with the district representative on a monthly basis;
- Maintain an accurate and detailed account of all monies received and disbursed;

- Reconcile all bank statements as received and resolve any discrepancies with the bank immediately;
- File sales tax reports as required by the comptroller's office (monthly, quarterly, or annually);
- File annual IRS form 990 in a timely manner;
- Submit records to audit committee appointed by the organization upon request or at the end of the year;
- Other specific duties as outlined in the bylaws of the organization.

Section 5. Term. Each elected officer shall serve a term of one (1) fiscal year or until a successor has been duly elected or appointed.

Section 6. Meetings. The Board of Directors shall provide for by resolution the time and place for the holding of at least one annual meeting of the Board, and of the additional regular meetings of the Board, without other notice than such resolution.

Section 7. Notice. Notice of any special meeting of the Board of Directors shall be given at least two days previously thereto by oral or written notice delivered personally or sent by mail or facsimile to each Director at his or her business address. Any Director may waive notice of any meeting, and the attendance of a Director at any meeting shall constitute a waiver or notice of such meeting.

Section 8. Quorum. A majority of the Board of Directors shall constitute a quorum for the transaction of business at any meeting of the Board; but if less than a quorum of the Directors is present at said meeting, a majority of the Directors present may adjourn the meeting from time to time without further notice. The act of a majority of the Directors present at a meeting at which a quorum is present shall be the act of the Board of Directors.

Section 9. Voting. Each qualified family unit, as described in Article Three, Section 2 of these Bylaws, shall have the right to cast one vote at any matter at any particular meeting. The decision of a majority of the voting members present at a meeting at which a quorum is established will be binding on the organization, unless provisions of these Bylaws require greater vote.

Section 10. Proxy. No voting by proxy will be allowed.

Article Five **General Provisions**

Section 1. Fiscal Year. The fiscal year of this organization shall be July 1 through June 30 of the following calendar year.

Section 2. Operating Funds. Operating funds shall be maintained in a general fund, and an accounting of such funds shall be presented at all meetings.

Section 3. Fiscal Responsibility. Each member has a fiduciary responsibility to act with integrity and in the best interest of [REDACTED] Booster Club and its supported students.

Section 4. Annual Statement. The directors shall present at each annual meeting, or when called by vote of the members at any meeting, a full and clear statement of the condition of the organization.

Section 5. Group Exemption. This nonprofit organization will qualify as a tax-exempt organization under the provisions of Section 501(c)(3) of the Internal Revenue code and its Regulations as they now exist.

Article Six **Standing Committees**

Section 1. Nominating Committee. Meet to receive nominations for the elected offices of the organization and to prepare a slate of nominees and a ballot for the election of officers. The committee shall be made up of the President, the head coach and one at-large person appointed by the President.

Section 2. Fundraising Committee. Responsible for developing and managing fundraising projects. The President will chair the committee and name its members as needed.

Article Seven **Amendments**

Section 1. Amendments to Bylaws. These Bylaws may be altered, amended, or repealed and new Bylaws may be adopted by a majority of the Directors, provided that such alterations, amendments, or proposed substitute Bylaws have been read or distributed to all Directors present at the previous regular meeting or such action may be made at a special meeting held at least ten days after the regular meeting at which the reading or distribution was made.

Section 2. Amendments to the Articles of Incorporation. The Directors shall adopt a resolution setting forth any proposed amendment of the Articles of Incorporation, which, if approved by a majority of the Directors, shall be again submitted for a voted at the next regular meeting of the Directors.

CERTIFICATE OF SECRETARY

I certify that I am the duly elected and acting secretary of the [Insert Booster Club Name] and these Bylaws constitute the corporation's Bylaws. The Bylaws were duly adopted at a meeting of the board of directors held on _____, 20XX.

Dated: _____

Secretary of the Corporation

School-Connected Organizations

◀ [Previous](#) | [Next](#) ▶

The Governing Board recognizes that parents/guardians and community members may wish to organize parent organizations and/or booster clubs for the purpose of supporting district and extracurricular programs, such as athletic teams, debate teams, or musical groups. The Board appreciates the contributions made by such organizations and encourages their interest and participation in supporting district activities and helping to achieve the district's vision for student learning.

(cf. 200 - Goals for the School District)

(cf. [6020](#) - Parent Involvement)

The Board recognizes that school-connected organizations are separate legal entities, independent of the district. However, in order to help the Board fulfill its legal and fiduciary responsibility to manage district operations, any school-connected organization that desires to raise money to benefit any district student shall submit a request for authorization to the Board, in accordance with Board policy and administrative regulation. The Superintendent shall determine which organizations meet the definition of a school-connected organization as related to this policy and corresponding administrative regulations. In addition, the Superintendent or designee shall establish appropriate internal controls for the relationship between school-connected organizations and the district.

(cf. [1321](#) - Solicitation of Funds from and by Students)

(cf. [1330](#) - Use of School Facilities)

(cf. [3452](#) - Student Activity Funds)

The Board encourages school-connected organizations to consider the impact of fund-raising activities on the overall school and district program. School-connected organizations may consult with the principal to determine school needs and priorities. Activities by school-connected organizations shall not conflict with law, Board policies, administrative regulations, or any rules of the sponsoring school.

(cf. [3290](#) - Gifts, Grants and Bequests)

(cf. [3554](#) - Other Food Sales)

(cf. [5030](#) - Student Wellness)

(cf. [6145](#) - Extracurricular and Cocurricular Activities)

(cf. [6145.2](#) - Athletic Competition)

Legal Reference:

EDUCATION CODE

200-262.4 Prohibition of discrimination on the basis of sex

35160 Authority of governing boards

38130-38138 Civic Center Act, use of school property for public purposes

48931 Authorization for sale of food by student organization

48932 Authorization for fund-raising activities by student organization

49431 Sale of food to elementary students during the school day

49431.2 Sale of food to middle, junior, or high school students

49431.5 Sale of beverages at elementary, middle, or junior high schools

51520 Prohibited solicitation on school premises

51521 Fund-raising project

BUSINESS AND PROFESSIONS CODE

17510-17510.95 Solicitations for charitable purposes

25608 Alcohol on school property; use in connection with instruction

GOVERNMENT CODE

12580-12599.7 Fundraisers for Charitable Purposes Act

PENAL CODE

319-329 Lottery, raffle

CODE OF REGULATIONS, TITLE 5

4900-4965 Nondiscrimination in elementary and secondary education programs

15500 Food sales in elementary schools

15501 Food sales in high schools and junior high schools

CODE OF REGULATIONS, TITLE 11

300-312.1 Fundraising for charitable purposes

UNITED STATES CODE, TITLE 20

1681-1688 Discrimination based on sex or blindness, Title IX

COURT DECISIONS

Serrano v. Priest, (1976) 18 Cal. 3d 728

Management Resources:

CALIFORNIA DEPARTMENT OF EDUCATION LEGAL ADVISORIES

1101.89 School District Liability and "Hold Harmless" Agreements, LO: 4-89

WEB SITES

CSBA: <http://www.csba.org>

California Office of the Attorney General, charitable trust registry: <http://caag.state.ca.us/charities>

California State PTA: <http://www.capta.org>

Policy ALHAMBRA UNIFIED SCHOOL DISTRICT

adopted: September 9, 1997 Alhambra, California

revised: February 21, 2012

School-Connected Organizations

Booster Clubs

Persons proposing to establish a school-connected organization shall submit a request to the Governing Board annually for authorization to operate at the school. The request for authorization shall contain:

1. The name and purpose of the organization
2. The date of application
3. Bylaws, rules and procedures under which the organization will operate, including procedures for maintaining the organization's finances, membership qualifications, if any, and an agreement that the group will not engage in unlawful discrimination
4. The names, addresses, and phone numbers of all officers
5. A list of specific objectives
6. An agreement to grant the district the right to audit the group's financial records at any time, either by district personnel or a certified public accountant
7. The name of the bank where the organization's account will be located and the names of those authorize to withdraw funds
8. The signature of the principal of the supporting school
9. Planned use for any money remaining at the end of the year if the organization is not continued or authorized to continue in the future
10. An agreement to provide evidence of liability insurance as required by law

(cf. 1330 - Use of School Facilities)

Authorization of a booster club is valid for up to one year, however, the site Principal may revoke a booster club's authorization to conduct activities in the district if he or she determines that the booster club has violated district policy or applicable law. The booster club may appeal this decision to the Superintendent, and the Superintendent's decision shall be final for the remainder of that year.

Requests for subsequent authorization shall be presented to the Superintendent or designee annually, along with a financial statement showing all income and expenditures from fund-raisers. If the Superintendent or designee proposes to deny the request for reauthorization, he/she shall present this recommendation to the Board for approval.

Upon consent of the Superintendent or designee, school-connected organizations may use the school's name, school team's name, or any logo attributable to the school or district.

School-connected organizations are prohibited from hiring or directly paying district employees or volunteers. Organizations may make donations to cover the costs of additional employees, but only if such positions are approved in advance by the Board. At their discretion, employees may volunteer to perform activities for school-connected organizations during non-working hours.

School-connected organizations are considered to be entities separate from the school district. The following apply to all approved school-connected organizations:

1. Student bodies may not participate in fund-raising activities of school-connected organizations without prior approval from the district
2. School-connected organizations wishing to use district facilities must obtain a Civic Center Permit
3. School-connected organization funds are not to be kept in, or processed through, the student body office or books
4. School-connected organization shall practice standard accounting and financial record keeping procedures including maintenance of revenue & expenditure receipts, bank reconciliations, and meeting minutes.
5. School-connected organizations may make donations to the student body or district. All such donations must follow the required procedures established by the Governing Board.
6. School-connected organizations may not distribute information, advertise, or sell anything on school grounds without prior approval by the district
7. The president and treasurer (or their designees) of each school-
7. The president and treasurer (or their designees) of each school-connected organization shall participate in an annual training of district procedures

School-connected organizations may appeal to the Superintendent as needed when determining compliance with any district procedures.

Parent Teacher Associations (PTA)

Parent-Teacher Associations aligned with the California State PTA shall follow rules for organization and operation established by the California State PTA.

(cf. [4127/4227/4327](#) - Temporary Athletic Team Coaches)

Regulation ALHAMBRA UNIFIED SCHOOL DISTRICT

approved: September 9, 1997 Alhambra, California

revised: February 21, 2012