

NOVI ATHLETIC BOOSTERS CLUB CONSTITUTION

ARTICLE I – Organization

- i. The name of this organization shall be the “Novi Athletic Boosters Club”
- ii. The organization shall be incorporated as a Domestic Nonprofit Corporation under the Laws of the State of Michigan. The Nonprofit Corporation Information Update shall be filed with the State of Michigan no later than October 1 of each year.
- iii. The organization shall comply with requirements for receiving Board approval under Board of Education Policy #1110, School District Relationship with Support Organizations. Required information shall be provided to the Assistant Superintendent of Administrative Services by no later than June 15 of each year. With formal Board approval, support organizations are included under the Novi School District liability insurance.

ARTICLE II – Objectives

- i. Encourage the Novi Community School District’s athletes to strive for excellence and character development.
- ii. Sponsor fund raising activities in order to provide financial assistance to the Districts Athletic Program.
- iii. Provide assistance in building and improving interscholastic athletics in the Novi Community School District.

ARTICLE III – Mission Statement

- i. The mission of the Novi Athletic Boosters is to support and promote all of our athletic programs throughout the Novi Community School District;
- ii. to encourage and support outstanding athletic achievement, sportsmanship and character both on and off the field;
- iii. to contribute to the spirit and enthusiasm of the high school and middle school athletes;
- iv. and to provide a pathway for positive involvement by the community and the Novi School District with Novi High School and Novi Middle School athletes.

ARTICLE IV – Membership

- i. Membership is open to all parents of student athletes and other individuals interested in the progress and development of Novi’s Athletic Program.
- ii. Parents of student athletes or any other member of the community over the age of 19, who reside in Novi, have an interest in Novi Community School District Athletics, and who provide leadership, display integrity and demonstrate respect for all involved in Novi Community School District Athletic Activities are considered members of the Novi Athletic Booster Club.
- iii. Board Members or Committee Chairpersons violating the terms of membership will be subject to a review by the executive board. A 2/3rd’s vote is required by the executive board for a board member or chairperson to be removed from their position.

ARTICLE V – Officers & Trustees

- i. Officers in this organization shall be the President, Vice President, Secretary and Treasurer who shall constitute the executive board.

- ii. Election of the officers and trustees shall take place at the regular monthly meeting in June of each year.
- iii. Installation of officers, chairpersons & trustees shall take place at the commencement of the first meeting of the new fiscal year.
- iv. A majority of votes cast by members present shall be necessary to elect an officer or a trustee.
- v. There are no term limitations on executive positions. No trustee shall hold the position of trustee longer than three (3) consecutive terms.
- vi. The term for the officers is one (1) year. The term for trustees is one (1) year.
- vii. Elected officers must be members of the Novi Community School District.

ARTICLE VI – Governance of the NAB

- i. Governance of the NAB shall be made by a duly elected NAB Board. The primary function of the Board is to make necessary decisions in the best interest of the Boosters and Novi athletics, set policy for activities, set an annual budget, and to study and make recommendations to the membership of the club for discussion relative to the disbursements of funds for equipment and services.
- ii. The board shall consist of four (4) elected officers (President, Vice President, Secretary, and Treasurer), and three (3) at large trustees.
- iii. The immediate past President and the Athletic Director shall serve in an advisory capacity without vote to the executive board and the NAB Board.
- iv. The NAB Board shall determine committees and policies necessary to carry out the business of the NAB and appoint chair people.
- v. Ad Hoc Committees as required will be appointed by the NAB Board.
- vi. Committee chairpersons shall be appointed each year.
- vii. In the event of a vacancy on the NAB Board, with the exception of the President, the Board shall make an appointment no later than the next regular meeting following the vacancy with a majority vote of the board. The appointee will complete the term of the member they replaced.
- viii. The Board may also appoint two (2) Middle School Level Junior Trustees to represent the NAB at the Middle School level. These Junior Trustees will be appointed for a one (1) year period and will have voting rights as a regular NAB member.
- ix. If the President is unable to complete his/her term for any reason, the VP will assume the presidency for the duration of that term.
- x. The NAB Board and any interested member, shall review the by-laws during September of each year and propose amendments as necessary.
- xi. Annually, the NAB Board shall present a budget and report regularly to the membership.

ARTICLE VII – Amendments

Amendments to the Constitution require a 2/3 majority vote of NAB members present at any regular meeting. Amendments must have been presented in writing at the preceding regular meeting.

BY-LAWS OF THE NOVI ATHLETIC BOOSTERS CLUB

ARTICLE I – Duties of Officers, Trustees, Committee Chairs & Team Representatives

- i. President - The President shall be the executive officer and shall provide general supervision of all business affairs of the club. The President shall preside at all NAB meetings and shall be an ex-officio member of all committees.
- ii. Vice President – The Vice President shall assume all the duties of the President when necessary and shall assume the presidency if the office is vacated before the expiration of the president's term of office. The Vice President shall be responsible for the coordination of all committee activities.
- iii. Secretary - The Secretary shall record, preserve and report in writing and present all the minutes of the regular monthly and NAB Board meetings at the next regular meeting. The secretary shall attend to all correspondence of the Boosters upon request of the President.
- iv. Treasurer – The Treasurer shall keep an accurate record and preserve all receipts and disbursement of all funds connected with this organization. The Treasurer shall attend to all banking matters such as depositing, withdrawing and general matters. The Treasurer shall, at the June meeting, present an annual report for audit and review by the membership. In addition, the Treasurer shall present a report at every regular club meeting. The Treasurer is responsible for filing all necessary tax paperwork.
- v. The Executive Officers shall be responsible for setting an annual budget, which will be voted on in the end of year membership meeting.
- vi. Trustees – Shall serve the NAB by attending to business issues of the NAB and the Board.
- vii. Committee Chairpersons - Chairpersons shall establish committees as required to carry out the function required of those committees.
 1. Chairpersons will conduct committee meetings outside regular Booster and Board meetings as required to address the work of that committee
 2. Chairpersons shall conduct business in accordance with this Constitution and By-laws and in accordance with policies set by the NAB Board.
 3. Chairpersons will report at regular Booster meetings and attend special meetings as required.
- viii. Team Representatives - Each coach will appoint at least one team representative to act as a liaison between the Athletic Boosters and their respective team.

ARTICLE II – Meetings

- i. The calendar for regular meetings of the NAB will be established by the Board in June for the following year and shall be held monthly at a time and place to be established by the Board.
- ii. The NAB Board may call special Meetings of the membership, as deemed necessary. Notice of special meeting stating place, date and time shall be published.
- iii. The NAB Board may meet as deemed necessary.
- iv. Quorum – Four members of the Board, two (2) of whom must be officers shall constitute a quorum of any meeting for the purpose of transacting any business of the NAB.

ARTICLE III – Elections

The President shall appoint a Nominating Committee in March of every year. Nominations may be made from the membership after the report of the Nominating Committee.

ARTICLE IV – Amendments

Amendments to the By-Laws require a 2/3 majority vote of members present at any regular meeting. Amendments must have been presented in writing at the preceding regular meeting.

ARTICLE V – Conduct of Meetings

Meetings shall be conducted in accordance with Roberts Rules of Order, revised, unless otherwise decided by the membership.

ARTICLE VI – Athletic Pass

- i. Athletic pass fees shall be established each year at the May meeting. If no action is taken, then fees shall be the same as the preceding year.
- ii. The athletic pass year shall be Aug.1 through July 31 of the following year.

ARTICLE VII – Expenditures

- i. Any expenditure for team and or sport related equipment may only be brought forth by the Director of Athletics.
- ii. Any expenditure less than \$500 may be approved by a majority vote of the executive board.
- iii. Any expenditure over \$500 may be made by a majority approval of the NAB board and a majority approval of the membership at a regular board meeting.
- iv. Expenditures for supplies directly related to the operation of the concession stands do not require a vote of NAB board but do require the approval of the treasurer.
- v. All expenditures must be accompanied by a receipt and must be submitted to the treasurer for reimbursement or disposition.
- vi. The Executive Board may designate individuals authorized to sign checks or make bank withdrawals.
- vii. No loans of any type may be made to any organization, group or individual. Any donation and/or contribution requires a 2/3 majority vote of the NAB board.

ARTICLE VIII – Group Acknowledgments

- i. This organization acknowledges all interscholastic, athletic team activities within Novi Community Schools.
- ii. No specific sports groups can be named in fund raising functions that are sanctioned by this organization unless permission is granted by this organization.

ARTICLE IX – Purchase and Donation of Capital Equipment

- i. Capital equipment is defined as any item that costs \$100 or more and has a depreciable life of three (3) years or more.
- ii. Capital equipment purchases must be approved by the NAB Board.
- iii. Any capital equipment purchased by the club and donated to the Novi Community School District Athletic Program shall become the property of the District and may not be sold or traded without the approval of the Novi Director of Athletics and the NAB Board.

- iv. When capital equipment is purchased and donated to the Novi Community School District Athletic Program, the Secretary shall send a letter of notification to the Novi Board of Education, Novi High School Principal, Athletic Director and District Superintendent.
- v. Annual Program Donations: All Novi Athletic Programs, recognized by the Novi Athletic Department, shall be granted an identical annual amount donated directly to their team account at the beginning of their season per year. This amount will be set annually by the budget each year. Each Novi High School program will receive an identical amount. A separate amount will be set for the Novi Middle School programs. In order for the program to receive the Annual Program Donation, programs must meet NAB requirements, (i.e. have Team Representatives attending meetings and be in good standing in the NAB) which is at the sole discretion of the Novi Athletic Boosters Executive Board and its membership. Annual Program Donations will take the place of Seasonal Purchase Requests. Said amount can be used for any program expense at the program coach's discretion.
- vi. NAB Grant Requests: Athletic Programs may apply for a NAB Grant if they have a need greater than the annual program donation. In order for the program to be eligible to apply for a grant, the program must meet NAB requirements for grants (i.e. have team representation at a majority of NAB membership meetings, have a representative working on a NAB committee, and be in good standing with the Novi Athletic Boosters). The Novi Athletic Boosters (NAB) will extend grant opportunities seasonally for Novi Athletic programs at the Middle School and High School levels. Coaches or administrators who seek funding for additional resources that support athletic and challenging opportunities for our Novi student athletes within the Novi Athletic programs may apply for grant funds. NAB grants promote athletic leadership and academic excellence. The NAB grant process encourages athletic endeavors which can be developed, shared, and replicated among all the athletic programs in the district.
- vii. Grant Requests will be reviewed and signed by the Athletic Director, voted on by the NAB Executive Board, and brought before the general membership for a vote. Grants must pass by 2/3 Executive Board decision and 2/3 general membership vote. (See NAB Grant Application)
- viii. The Budget for Annual Program Donations and Grants will be set with the general budget and voted on by the membership at the June meeting.
- ix. Any member may request an expenditure of Booster funds at regular meetings.

ARTICLE X – Disposition of Equipment

Any equipment owned by the NAB for its use may not be sold or traded without approval of the NAB Board.

ARTICLE XI

No part of the net earnings of the corporation shall inure to the benefit of, or be distributable to, its directors, officers or other private persons. No substantial part of the activities of the corporation shall be the carrying on of propaganda or otherwise attempting to influence legislation. The corporation shall not participate in or intervene in (including the publishing and distribution of statements) any political campaign on behalf of or in opposition to any candidate for public office. Notwithstanding any other provision of these articles, the corporation shall not carry on any other activities not permitted to be carried on (1) by a corporation exempt from federal income tax under Code Section 501 (c) (3) or the corresponding section of any future federal tax code; or (2) by a corporation whose contributions are deductible under Code Section 170(c) (2) or the corresponding section of any future federal tax code.

ARTICLE XII

On Dissolution of the corporation, after paying or providing for the payment of all liabilities of the corporation, the corporation's assets shall be distributed (1) for one or more exempt purposes within the meaning of Code Section 501 (c)(3), or the corresponding section of any future federal tax code; or (2) to the federal government, or to a state or local government, for a public purpose. Any assets not disposed of shall be disposed of by the circuit court of the county in which the principal office of the corporation is then located, exclusively for such purposes or to such organizations that the court shall determine and that are organized and operated exclusively for such purpose.

No volunteer director or volunteer officer of the corporation, as those terms are defined in the Michigan Nonprofit Corporation Act (the "Act"), shall be personally liable to the corporation, for monetary damages for a breach of fiduciary duty except as otherwise required by the Act or other applicable law.

The corporation hereby assumes all liability to any person, other than the corporation, for all acts omissions of a volunteer director or a volunteer officer incurred in the good faith performance of the volunteer's director's or officer's duties as such; provided, however, that the corporation shall not be considered to have assumed any liability to the extent such assumption is inconsistent with the status of the corporation as an organization described in Code Section 501(c) (3) or results in the imposition of tax under Code Section 4958.

If the Act is amended after filing these Articles of Incorporation to authorize the further elimination or limitation of the liability of directors or officers of nonprofit corporations, or volunteers, then the liability of members of the Board and of officers of the corporation and volunteer, in addition to the limitation, elimination and assumption of personal liability contained in these Article XIII shall be assumed by the corporation or eliminated or limited to the fullest extent permitted by the Act as so amended except to the extent such limitation, elimination or assumption of liability is inconsistent with the state of the corporation as an organization described in Code Section 501 (c) (3) or results in the imposition of tax under Section 4958. No Amendment or repeal of this Article XIII apply to or have any effect on the liability or alleged liability of any director or officer of this corporation or other volunteer, for or with respect to any acts or omissions of such person occurring prior to the effective date of any such amendments or repeal.

In the event of a conflict between the provisions of this Article XIII and any other provisions of these Articles of Incorporation, the provisions of this Article XIII shall govern.

The Corporation will distribute its income at such time and in such manner as not to become subject to the tax on undistributed income imposed by Section 4942 of the Code.

The Corporations will not engage in any act of self-dealing as defined in section 4941(d) of the Code.

The Corporation will not retain any excess business holdings as defined in Section 4943(c) of the Code.] The Corporations will not make any investments in such manner as to subject it to tax under Section 4944 of the Code. The Corporation will not make any taxable expenditures as defined in Section 4945(d) of the Code.