

Bylaws of the Fort Mill School District Athletic Board

Article 1 – Organization

The Fort Mill School District Athletic Board (FMSDAB) is a not-for-profit corporation formed under the laws of the state of South Carolina.

Article 2 – Purpose

Section 1. The purpose of this nonprofit organization is to encourage and promote athletic and recreational activities for the youth of the Fort Mill School District, specifically at the middle school and higher levels. The Athletic Board has been formed to promote general welfare of all athletes of the Fort Mill School District, to provide assistance to the Administration, Athletic Coordinator, and coaching staff, and to facilitate excellence in the athletic programs of the school district. To this end, The Athletic Board shall endeavor to operate with the middle schools in the Fort Mill School District to provide volunteers, equipment, and services through fund raising efforts and community contributions. The Athletic Board shall not discriminate on the basis of race, color, national and ethnic origin or religious preference.

Section 2. Notwithstanding any other provisions of these bylaws or the articles of incorporation, (a) the purposes for which the Athletic Board is organized are exclusively religious, charitable, scientific, literary, and educational, within the meaning of Section 501(c)(3) of the Internal Revenue Code of the 1986 or the corresponding provision of any future United States Internal Revenue law, and (b) the Athletic Board shall not carry on any activities not permitted to be carried on by an organization exempt from federal income tax under section 501(c)(3) of the Internal Revenue Code of 1986 or the corresponding provision of any future federal tax code.

Section 3. Upon dissolution of the Athletic Board, assets shall be distributed for one of more exempt purposes within the meaning of section 501(c)(3) of the Internal Revenue Code of 1986 or the corresponding provision of any future federal tax code, or shall be distributed to the federal government, or to a state or local government for a public purpose. Any such assets not disposed of shall be disposed of by the Court of Common Pleas of the county in which the principal office of the corporation is then located, exclusively for such purposes or to such organization or organizations, as said court shall determine, which are organized and operated for such purposes.

Section 4. The Athletic Board 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 parts of its activities to attempting to influence legislation by propaganda or otherwise.

Section 5. The Athletic Board funds may be used to pay reasonable compensation for actual services rendered and to make payments and distributions in furtherance of the purposes set forth in these bylaws.

Section 6. The name of the organization or the names of the members in their official capacities shall not be used in any connection with a commercial concern or for any purpose not appropriately related to the promotion of the Athletic Board.

Article 3 - Membership

Membership of this organization shall be comprised of school administration, active booster club officers and members from the schools in the Fort Mill School District, interested in the governing of athletic and booster club activities sponsored by the FMSD. Each membership shall have full voting privileges provided that they are in good standing. The secretary will maintain a current membership. This membership list will not be sold or used for any solicitation purposes. It will only be used if needed to notify members of an upcoming sports events or any announcement purpose approved by the board.

Article 4 – Officers and Athletic Board

Section 1: Number of officers. The officers of the organization shall consist of a Chairman, Co-Chairman, Secretary and Treasurer. The Chairman will have the final voice for all decisions involving the FMSDAB. During the absence of an officer, the Athletic Board may transfer the power or duties, to be described herein, of any officer to any other officer of the organization.

Section 2: Elections and Terms. The officers of the organization shall be elected by all present members in good standing. The election shall be held prior to June 15th. Each officer shall hold office for a period of one year or until death, resignation, retirement, removal, disqualification or a successor is elected and qualifies. The officer shall assume their duties June 15st.

Section 3: Chairman. The Chairman shall be the principle officer and shall supervise all business; and affairs of the organization and preside at all meetings of the membership and Athletic Board.

Section 4: Co-Chairman. The Co-Chairman shall be the hired Athletic Coordinator and shall perform the duties of the Chairman in the absence of the Chairman. In addition, the Co-Chairman/Athletic Coordinator will be responsible for the following; securing all venues, field management, hiring all coaches, all event scheduling, securing EMT's and security (home games only).

Section 5: Secretary. The Secretary shall record the minutes of all meetings of the membership and the Athletic Board. The Secretary shall maintain a roll of members with addresses, telephone numbers, and email addresses. The Secretary shall take attendance at each meeting. The Secretary shall have available for reference at all meetings a copy of the Bylaws and a list of officer and committee chairpersons.

Section 6: Treasurer. The Treasurer shall have charge of all the monies and securities belonging to the organization. The Treasurer shall deposit said property with such bank as the Athletic Board shall designate and in the name of the organization. The Treasurer shall control the records of all receipts and disbursements, and shall have charge of all records of the organization relating to its finances and shall cause funds to be distributed in accordance with the orders of the Athletic Board insuring that the proper vouchers are taken for such disbursements and shall perform such other duties as are incident to the office of Treasurer, and shall have such other powers and duties as may be conferred upon them by the Athletic Board. The Treasurer shall prepare a financial statement to be presented at each meeting. The Treasurer will submit to an annual audit by an objective outside agency each year and be responsible for annual tax and state filings.

Section 7: Vacancy. In the event of a vacancy in any office, the Athletic Board shall appoint to fill that office for the unexpired term, should they choose to.

Article 5 – Coordinators

Section 1: General Powers. The business and affairs of the organization shall be managed by the Athletic Board, who shall determine the policies and activities of the organization within the confines of the stated purpose of the organization contained in the Bylaws.

Section 2: Number and Terms. The Athletic Board shall consist of elected officers, District Athletic Coordinator and a single administration representatives from each middle school as assigned by the Principal. The Board shall submit to the membership a proposed annual budget, a schedule of events and a statement of the needs of the organization and the various athletic needs in a timely manner and as needed. The Board shall administer the activities of the organization between meetings. The Board shall prepare the agenda for each membership meeting. Each member shall hold office for a period of one year or until death, resignation, retirement, removal, disqualification, or a successor is elected and qualifies.

Section 3: Quorum. Fifty (50) percent of the members in attendance of the Board shall constitute a quorum for the transaction of business.

Section 4: Meetings. Meetings shall be set forth by the Athletic Board, no less than quarterly. The Chairman, acting Chairman or the Secretary may, whenever they deem it advisable call a special meeting of the Board. Notice of all meetings must be given three (3) days in advance. All regularly scheduled meetings of the Athletic Board shall be considered public meeting and proper notice of these meetings may be provided through the appropriate media.

Section 5: Compensation. With the exception of the Athletic Coordinator, the Coordinators shall serve without compensation for their service. The Board shall not be empowered to lend money or property on any Coordinator, officer, or employee of the organization.

Article 6 – Office

The principle office of this organization shall be located on the campus of the Fort Mill School District office or such other places as may be from time to time designated by the Athletic Board.

Article 8 – General Provisions

Section 1: Fiscal Year. The Fiscal year of the organization shall be a year ending May 31st.

Section 2: Amendments. The Bylaws may be amended or repealed and new bylaws may be adopted by the affirmative vote of two-thirds (2/3) majority of the members present at any membership meeting provided however, no amendment, alteration or recession shall be made to Article 10 of these Bylaws as it related to the prohibition against the sharing of earnings and the distribution of assets. However, before any amendment shall be voted upon, it must have been presented at the previous membership meeting.

Article 10 - Prohibition Against Sharing Earnings

No Officer or employee of or member of a committee of or person connected with the organization, or any other private individual shall receive at any time any of the net earnings or profit from the operations of the organization, provided this shall not prevent the payment to any such person of such reasonable compensation for services rendered to or for the organization in affecting any of its purposes as shall be fixed by the Board, and no such person or persons shall be entitled to share in the distribution of any of the organizations assets up the dissolution of the organization. Upon the dissolution or winding up of the affairs of the organization, whether voluntary or involuntary, the assets of the organization, after all debts are satisfied, the remaining in the hands of the Board shall be distributed, transferred, conveyed, delivered and paid over, in such amounts upon the application of the Board, exclusively to charitable, religious, literary, or educational organization which would then qualify under the provisions of Section 501 (c) (3) of the Internal Revenue Code and its regulations as they now exist or as they may hereafter be amended.

Article 11 - Prohibition Against Non Charitable Actions

No Coordinators, Officers, or employee of this organization shall take any action or shall fail to set in such manner as to result in a violation of the laws of South Carolina or the loss of status as a charitable organization under the current interpretation of Section 501 (c) (3) of the Internal Revenue Code.