The Constitution and By-Laws of the Cary High

Speech and Debate Booster Club

**Article I. Name:** The name of this organization shall be the Cary High Speech and Debate Booster Club.

**Article II.** **Mission:** The mission of the Cary High Speech and Debate Booster Club is to support the mission of the team and coaching staff through fundraising efforts (particularly via the annual IMPvitational tournament) and through advisement regarding the tournament schedule, recruitment, overall team policy, and the social dimensions of the team, including the banquet at the end of the season.

## Article III. Purpose: The purposes for which the Booster Club is organized are:

1. To engage in any other lawful charitable, scientific, or educational purpose, activity or activities for which nonprofit corporations may be organized and as allowed by Chapter 55A of the General Statutes of North Carolina, as long as said purposes and activities are consistent with section 501(c)(3) of the Internal Revenue Code of 1986.
2. To do any and all things necessary in order to realize the purposes herein set forth, which are exclusively charitable, religious, scientific or educational within the meaning of Section 501(c)(3) of the Internal Revenue Code of 1986 or the corresponding provision of any future United States Internal Revenue law, and, to the extent consistent with the preceding clause, to engage in any lawful activity or activities for which nonprofit corporations may be organized under Chapter 55A of the General Statutes of North Carolina; and the foregoing clauses shall be construed as both objects and purposes and shall not limit or restrict in any manner the objects and powers of this Booster Club.
3. To the fullest extent permitted by the North Carolina Nonprofit Corporation Act as it exists or may hereafter be amended, no person who is serving or who has served as a Board member of the Booster Club shall be personally liable to the Booster Club or any of its shareholders for monetary damages for breach of duty as a Board member, and the Booster Club shall defend and hold harmless any Board member for all claims asserted by third parties against said Board member in connection with their role, services or activities. Neither the amendment nor repeal of these Bylaws, nor the adoption of any amendment to these Bylaws inconsistent with these Bylaws shall eliminate or reduce the protection granted herein with respect to any matter that occurred prior to such amendment, repeal, or adoption.

## No substantial part of the activities of the Booster Club shall be the carrying on of propaganda, or otherwise attempting to influence legislation, and the Booster Club shall not participate in or intervene in (including the publishing or distribution of statements) any political campaign on behalf of any candidate for public office. Notwithstanding any other provision of these articles, the Booster Club shall not carry on any other activities not permitted to be carried on (a) by a Booster Club exempt from Federal income tax under Section 501(c)(3) of the Internal Revenue Code of 1986, as amended (or the corresponding provision of any future United States Internal Revenue Law) of (b) by a Booster Club, contributions to which are deductible under Section 170(c)(2) of the Internal Revenue Code of 1986, as amended (or the corresponding provision of any future United States Internal Revenue Law).

## E. The Booster Club hereby adopts a conflict of interest policy consistent

## with Section 501(c)(3) of the Internal Revenue Code of 1986 and as

## allowed by Chapter 55A of the General Statutes of North Carolina.

## Article IV. Offices: The principal office and registered agent of the Booster Club shall be located in 638 Walnut Street, Cary, NC 27511. The Booster Club may have such other offices, within or outside the State of North Carolina as may be designated by the Board, or as shall be appropriate or necessary for the conduct of the affairs of the Booster Club.

**Article V. Booster Club Composition:** The Booster Club will be comprised of an annually elected board of officers (see Article VI) and all the families of full-fledged members (for a definition of a full-fledged member, see Article X, Section A of the Constitution of the Speech and Debate Team) of the Speech and Debate Team currently enrolled at Cary High School.

**Article VI. Board Officers**

**A.** **Chairperson:** The head coach will chair board meetings but will not

be a voting member. This arrangement will maximize efficiency, as

the head coach is the person most likely to be aware of all the issues

affecting the team and the board.

1. **Treasurer:** The treasurer will collect all monies, disburse all monies, keep accurate financial records, and make financial reports to the board at scheduled meetings and to the head coach upon request.
2. **Secretary:** The secretary will keep accurate minutes of board meetings and type a copy of the minutes to be approved at subsequent meetings.
3. **Members-at-Large:** One, three, or five members-at-large will serve on the board. They will be full-voting members, along with the treasurer and the secretary. In addition to offering motions and advice on any business of the board, they may volunteer or be asked to serve on short-term or long-term projects regarding board business, such as (but not limited to) fundraisers, recruitment, community outreach, team social outings, etc.

## Article VII. Meetings

1. **Governance**
2. Chairperson: The head coach will chair board meetings but will not be a voting member. This arrangement will maximize efficiency, as the head coach is the person most likely to be aware of all the issues affecting the team and the board.
3. Quorum: An odd number of board members (excluding the chairperson) is required for a quorum (to prevent ties in voting). The treasurer and secretary must be two of the members present.
4. Student Liaison: The head coach may invite a student liaison from the team to represent the ideas and concerns of the students, whenever necessary. The liaison may change throughout the course of a season and may not always be invited to meetings, depending on the nature of the business to be discussed. The liaison also may not make motions or vote.
5. Open Meetings: Any booster club member may attend meetings, but only board members can vote. Meeting dates will be announced on the website no later than seven days before the scheduled dates (last minute cancellations and changes must be posted on the website but are exempt from the seven day rule) but do not have to be emailed to the larger membership, except by decision of the board. The board may decide the precise method of obtaining opinions of its membership— through email, online survey tools, orderly/limited public comment segments during board meetings (public comment is not allowed during meetings unless specified on the agenda), etc.
6. **Frequency and Content**
7. Frequency
8. Regular Meetings: The board will meet four times each school year, once per school quarter. The first meeting must occur before the IMPvitational, and the second meeting must occur after the IMPvitational. The third meeting must occur before the end-of-the-season banquet, and the fourth meeting must occur sometime after the last regular season tournament and after the banquet.
9. Additional/Emergency Meetings: Additional or emergency meetings may be called by the head coach, should the need arise. The dates will appear on the website and every effort will be made to give advance notice to club members, but the requirements for notice described in Section A, number 4 will not apply.

1. Setting Dates and Agendas
2. The first meeting: The chairperson will be responsible for setting the date and agenda. He will email the members at least two weeks before the proposed date and will change the date, if necessary, to achieve a quorum. He will email a proposed agenda for the first meeting. Any board member may propose additional items for the agenda no later than forty-eight hours before the meeting.
3. The remaining three meetings: At each meeting, board members will set the meeting time and agenda items for the following meeting. The chairperson will send out a reminder with a proposed agenda before the next meeting. Any board member may propose additional items for the agenda no later than forty-eight hours before the meeting.
4. Compulsory Agenda Items: Meetings must begin with the reading and approval of minutes from the last meeting (with the exception of the first meeting of the year; the last meeting’s minutes must be approved within fourteen days of the meeting by email responses from board members present at that meeting). The second item on the agenda must be the treasurer’s report. The final item on the agenda must be the setting of the meeting time and agenda items for the following meeting.
5. Rules of Order:
6. Business during Meetings: All business must be recorded in the minutes. All motions will require a second and all decisions require a majority vote.
7. Business between Meetings: Issues that come up between meetings can be decided upon by email voting, requiring a quorum as defined in Article VII, Section A, number 2. All motions will require a second and all decisions require a majority vote. The head coach will count the votes. The emails will be included in the secretary’s records and will be considered part of the minutes of the previous meeting, subject to approval at the next meeting.

**Article VIII. Finances**

## A. Fiscal Year. The fiscal year of the League shall begin on the first day of

## August of each year and shall end on the thirty-first day of July of the

## next year, unless otherwise determined by the Board.

**B. Retention of Funds:** In order to cover initial expenses for the

upcoming season, the club must retain a minimum of $750 in its

account at the end of each season.

**C. Method of Funds Collection:** The head coach and treasurer may

receive funds from students and parents in the name of the Cary High

Speech and Debate Booster Club (which may be written on checks as

CHSDBC). The treasurer is the only person with the consistent

authority to receipt and deposit the funds. In the case that the treasurer

is unavailable and is not able to perform his or her duties, the head

coach may appoint one of the members-at-large to serve in this

capacity on a temporary basis.

**D.** **Method of Funds Disbursement:** The treasurer and the head coach

have the authority to disburse funds. All receipts should be given to

and kept by the treasurer in his or her records. All transactions

should appear in the treasurer’s report for accounting and

accountability purposes. The head coach and treasurer should keep

each other informed by email of non-routine expenditures. These

emails should be printed and be kept in the treasurer’s records. The

treasurer has the authority to write checks to individuals as a form of

reimbursement for expenses regarding the booster club and team as

specified elsewhere in the Constitution or as approved by the board in

its minutes.

1. **Account Types:**
2. Business Checking Account: The booster club will maintain a checking account. The board will carefully monitor the money in this account, adhering to all applicable laws concerning 501(c)(3) status.
3. Individual Student Accounts: The board may also elect to set up individual accounts for team members, so that they may fundraise directly into these accounts to offset some of their expenses regarding the team, including registration and hotel expenses at regular tournaments; travel, hotel, and registration expenses at post-season tournaments; and travel, room and board, and tuition expenses at speech and debate camps held during the summer.
4. **Booster Club Dues:** The board has the authority to charge dues for

families wishing to join. The charge for dues may be updated for the

upcoming season at the last meeting of the previous season and/or

first meeting of the upcoming season.

1. **Team Affiliation Dues:** The board has an obligation to pay the dues

to the organizations listed in Article V of the Constitution for the

Speech and Debate Team. The head coach will inform the treasurer

concerning due dates and addresses regarding these organizational

dues.

1. **Donations and Sponsors:** The booster club may solicit and accept

both donations and sponsors. It also retains the right to reject any

donations and sponsors it deems antithetical to its mission or to the

mission and purpose of the team.

1. **Fees and Dues**

1. Team Dues

a. Schedule: The first half of the season lasts from

September through December. The second half of the

season lasts from January through April. Dues will be

charged at the first tournament each individual student

attends during each of the two half-seasons.

b. Waiver for Family Involvement: Dues for the second

half-season will be waived for students whose family

representatives have served as volunteer judges for at

least two tournaments during the first half-season.

2. NSDA Dues: The NSDA charges a one-time fee of to each

student who becomes a full-fledged member.(see Article X,

Section A of the Constitution for the Speech and Debate Team).

For students who earn this membership, their team dues for

that particular half-season will cover this charge, which will be

paid by the treasurer to the NSDA.

1. Regular Season Tournament Fees:
   1. Student Responsibility: Students are responsible to pay for their participation at regular season tournaments (the cost typically ranges from $10 to $20 for one-day tournaments and between $50 and $150 dollars for two-day tournaments (depending on whether a hotel stay is required by the distance and how many students can share a room)). Students must also pay for their own food during the entire duration of a field trip involving a tournament.

* 1. Determining Cost for Hotel Rooms: The student cost for hotel rooms also factors in the chaperones’ rooms, as adults will stay in rooms for free (students will stay up to four to a room, chaperones up to two to a room). The head coach will approve the final price in consultation with the treasurer. Other members of the board may volunteer to conduct research concerning hotels and prices and then advise the head coach.
  2. Deadline for Payment: All payments will need to be made to the head coach or to the treasurer by 3:30 p.m. on the Monday the week of the tournament. All penalties regarding missing deadlines are detailed in Article XI, Sections B and D of the Constitution for the Speech and Debate Team.

d. Financial Aid: Any student may ask for financial

assistance, which may be granted per discretion of the

head coach, who must then inform the booster club

treasurer of the decision.

1. Post-Season National Tournaments

a. Determinations:

i. Head Coach: The head coach retains the authority

to decide which, if any, of the three post-season

national tournaments—TOCs, NCFL, or NSDA—

members of the team may attend (assuming

qualification) in any given season.

ii. Booster Club: The Booster Club will determine

how to distribute financial assistance for qualifying

students, their parents, and the attending coach,

given the guidelines in letters b through d.

b. Coach Expenses: The Booster Club will pay for all travel

and hotel expenses for the attending coach. Food will

not be covered.

1. Competitor Expenses: The Booster Club will cover as much of competitor expenses, including tournament registration, travel, and hotel expenses (but not food) as it can without violating the retention of funds clause in Section B of this Article. If more than one competitor qualifies and attends, funds will be disbursed equally (by equal percentage of the costs if the head coach approves more than one post-season national tournament) to each competitor.

1. Parent Expenses: As parents often need to travel to fill judge quotas and for liability reasons (a male competitor needs at least one male chaperone; a female competitor needs at least one female chaperone; students should never stay in a coach’s room), the booster club will also cover an equal percentage of parent expenses, if money remains above the retention level specified in Section B of this Article, all coach expenses are covered, and all student expenses are covered.
2. Summer Camps: If there is extra money above the retention level specified in Section A, the board may vote to disburse money to students attending speech and debate camps in the summer time, helping to offset their expenses in a fair and equitable manner.
3. Scholarships: If there is extra money above the retention level specified in Section A, the board may vote to award one or more scholarships to graduating seniors according to fair and equitable criteria they will establish. The scholarships do not have to be awarded on a yearly basis. Each new board can decide the issue for that particular season based upon the money available.
4. **Fundraising: Types and Purposes**
5. The Annual IMPvitational: Each year (assuming the approval of the principal and the governing speech and debate leagues of the state), the team will host a one-day tournament in order to raise money for students, coaches, and chaperones to attend national-level competitions, should the students qualify. If no student qualifies in a particular season, the money can be saved for future seasons. Monies raised by the IMPvitational may not be deposited into individual student accounts sponsored by the booster club.

1. Additional Tournaments Held at Cary High School: The head coach, securing the approval of the board and principal, may bid to host additional tournaments, including, but not limited to, the district qualifying tournament and the state tournament. Monies raised by additional tournaments will serve the same purpose as number 1, unless designated differently by the board.
2. Additional Fundraisers: The board may decide to sponsor

additional fundraisers that follow Wake County School Board

policy. Monies raised by individual students will be deposited

into the accounts described in Section E, number 2, unless

designated differently by the board.

1. **Other Expenses**
2. Honor Cords: After the final tournament and before the awards banquet, the treasurer will order honor cords from the National Speech and Debate Association for seniors who meet the qualifications (See Article X, Section G of the Constitution for the Speech and Debate Team). The head coach will present the cords to the honorees either during school or at the awards banquet.
3. The End-of-the-Year Banquet
   1. Purpose: Each year the team and board will host an end-of-season banquet to celebrate the accomplishments of the team, thank parent volunteers and the outgoing board, and to honor graduating seniors.
   2. Planning: The head coach is responsible for establishing a date and securing a venue and menu. He may ask members of the board or other parent volunteers for help, subject to his final approval.
   3. Eligibility: All current team members, board members, parent volunteers (anyone who has chaperoned during the season), and family members of seniors will be invited. The board may decide upon different eligibility requirements if seating is particularly limited.
   4. Board Expenses: The head coach will present framed certificates to graduating seniors and certificates to the coaching staff (other than himself), outgoing board members, and to parent volunteers, the cost of which will be reimbursed by the treasurer from the booster club account. If the venue charges a room fee, the board may decide to pay the expense or may include the expense as part of the fees in letter e.
   5. Family Expenses: All persons in attendance will be responsible for paying for their own meals. Every effort will be made to balance elegance and affordability. Section I, number 3, letter d applies.
4. Team Resources: The board may elect to purchase briefs for debaters and scripts for interpretation competitors. The board reserves the right to purchase any other academic resources they deem directly related to and helpful to the success of the team overall or to individuals on the team.

## L. Compensation of Officers. No Officer may receive any compensation, except as reimbursement for actual disbursements expended on behalf of or in service to the Booster Club and according to policies

## authorized by the Board.

## M. Indemnification. Every person who is or shall have been a Board

## member or Officer of the Booster Club and his or her personal

## representatives shall be indemnified by the Booster Club against all

## costs and expenses reasonably incurred by or imposed upon him or

## her in connection with or resulting from any action, suit, or

## proceeding to which he or she may be made a party by reason of his

## or her being or having been a Board member or Officer of the Booster

## Club or of any subsidiary or affiliate thereof, except in relation to such

## matters as to which he or she shall finally be adjudicated in such

## action, suit, or proceeding to have acted in bad faith and to have been

## liable by reason of willful misconduct in the performance of his or her

## duty as such Board member or Officer. “Costs and expenses” shall

## include, but without limiting the generality thereof, attorneys’ fees,

## damages, and reasonable amounts paid in settlement.

**Article IX. Elections**

1. **Eligibility:** Every member of the board must be a parent of a current and active member (consistently attending practices and tournaments) of the Cary High School Speech and Debate Team. Individuals may serve multiple-one year terms until their children are no longer current and active members of the team.
2. **First Year:** The head coach will recruit members of the board for its

first year of operation.

1. **All Other Years**

1. Nominations: Any booster club member may nominate himself or herself or any other member. The head coach may also nominate booster club members to serve. Members will accept nominations by an established deadline.
2. Timeframe: Each spring, a nomination and election timeline will be defined by the head coach and will be completed prior to the final board meeting of the year. The new board will be installed at the first meeting of the following season.
3. **Vacancies**
4. Insufficient Nominations: As a quorum requires a treasurer and a secretary and an odd-number of board members, one member-at-large is sufficient, should others not be available.
5. Mid-Season Vacancies: Should a board member resign before the end of his or her term, no replacement will be sought if a quorum can still be met. In the case a quorum cannot be met, the head coach will appoint the replacement(s) to the vacancy(ies).
6. Exceptions: If a board member’s child leaves the team midyear, the board member may finish out the term. If a person is elected to the board and his or her child decides not to participate in the team the following season, the elected member must vacate the position, to be appointed by the head coach.
7. **Transference of Records:** The outgoing secretary and treasurer should finalize their records by the end of the fiscal year at the end of their term. Copies should be given to the respective new officer and to the head coach**.**
8. **Impeachment:**
9. Removal: In the event a board member (excluding the chair—see number 3) is deemed unfit to continue service, the board member may be removed by a unanimous vote of the board followed by approval of two-thirds of the existing membership.
10. Replacement: When a vacancy is created due to impeachment the steps outlined above in regards to vacancies shall be taken.
11. Head Coach/Board Chair: Action to remove and/or replace the head coach/ board chair can only be taken by the principal of Cary High School.

**Article X. Amendments**

1. **Proposing Amendments:** Any member of the board or the head coach may propose amendments to this constitution, which must be

seconded to be voted upon.

1. **Voting:** All board members must vote upon an amendment to the

constitution. Votes can be conducted via email and should be cc’d to

all board members for transparency in the results.

1. **Head Coach Approval:** As the Booster Club exists to serve the mission of the team, it is crucial that the head coach supports any revisions to the constitution of the club. The head coach retains the authority to veto an amendment. There is no prevision for a veto to be over-ridden.

**D. Communication**: When an amendment passes, the revisions should

be posted on the website when the minutes from the corresponding

minutes are posted.

## Article XI. Dissolution and Distribution of Assets. No part of the net earnings of the Booster Club shall inure to the benefit of, or be distributable to its members, trustees, officers, or other private persons, except that the Booster Club shall be authorized and empowered to pay reasonable compensation for services rendered to the Booster Club and to make payments and distributions in furtherance of the purposes set forth herein. The Booster Club may be dissolved and its assets and liabilities liquidated in such manner as the Board shall resolve, provided that upon dissolution, after payment of all debts, no part of the remaining assets may be distributed to any trustee, member, or officer of the Booster Club but shall be distributed as the Articles of Incorporation direct in accordance with such laws and regulations as may be applicable thereto, provided, however, that the distribution must be to another organization exempt under Section 501(c)3 of the United States Internal Revenue Code of 1986, as amended (or the corresponding provision of any future United States Internal Revenue Law), or to the United States, state or local governments, for a public purpose.