

# **THE WORCESTER RAILERS BOOSTER CLUB**

## **CONSTITUTION AND BYLAWS**

### **Article I – Name**

#### **Section 1. Name**

The name of this non-profit corporation is the Worcester Railers Booster Club, Inc

#### **Section 2. Address**

The Worcester Railers Booster Club, Inc's address shall be:

50 Foster Street  
Worcester, Massachusetts 01608

and its mailing address shall be:

PO Box 210  
Grafton, Massachusetts 01519-0210

### **Article II - Purposes and Objectives**

#### **Section 1. Purposes**

- A. The purpose of the Worcester Railers Booster Club, Inc (hereinafter referred to as “Booster Club”), is to create and support interest in the Worcester Railers professional hockey club, to promote hockey in central Massachusetts, to contribute to community welfare, to provide enhanced and expanded opportunities for Railers fans and boosters at both home and away games, and to foster camaraderie and social group recreational activities for Booster Club members.
- B. The Booster Club shall only carry on activities permitted
  1. by a corporation exempt from federal income tax under section 501(c)(7) of the Internal Revenue Code, or the corresponding section of any future federal tax code, or
  2. by a corporation, contributions to which are deductible under section 170(c)(2) of the Internal Revenue Code, or the corresponding section of any future federal tax code.
- C. Notwithstanding any other provision of these articles, the Booster Club shall not, except to an insubstantial degree, engage in any activities or exercise any powers that are not in furtherance of the purposes of the Booster Club.

#### **Section 2. Objectives**

To generate, support, and contribute to

- A. Enthusiastic fan support;
- B. Good will and cooperation among the Boosters, Worcester Railers players, Worcester Railers administration and staff, the DCU Center, and the community in general;
- C. Booster Club appearances, including the dispersal of information about the Booster Club, Worcester Railers hockey team, publicity and activities at regular meetings of the Booster Club;
- D. Academic and/or hockey scholarship for youth hockey players in the central Massachusetts region;
- E. The sponsorship and participation in community public service activities and fundraising;
- F. The recognition of Worcester Railers hockey team players and Booster Club members through awards, ceremonies, banquets, press releases, public address announcements, and correspondence;
- G. Picnics, outings, celebrations and other social and recreational activities;
- H. Regular Booster Club newsletters, public service announcements, public address announcements, and other press releases;

And to provide the organized structure, growth, and security of the Booster Club through by-law development, enforcement, control, legal structuring, insurance, legal representation and other mechanisms as deemed necessary.

### **Article III – Definitions**

- A. Business Year: From 1 May until 30 April
- B. Fiscal Year: From 1 January until 31 December
- C. Membership Year: From 1 September until 31 August
- D. Members: Members in good standing in the Worcester Railers Booster Club
- E. Quorum: Majority of all seated members of the Board of Directors, to include two (2) Executive Board members.
- F. Annual Meeting: The general Booster Club meeting, usually in May, where any by-law mandated activity is to be enacted.

### **Article IV - Membership**

#### **Section 1. Eligibility**

Individual memberships will be offered to anyone thirteen (13) years or older. All members in good standing for thirty-one (31) days shall have full voting privileges. Members under eighteen (18) must be accompanied by a responsible family member or appointed guardian at all times during Booster Club sponsored activities, unless otherwise stipulated by the Board of Directors.

#### **Section 2. Membership Year**

Membership shall be continuous from 1 September until 31 August of a given year. Dues for membership will be determined annually by the Board of Directors at their May meeting. All membership dues are non-refundable and non-transferable. A member shall be considered in “good standing” upon payment of membership dues.

#### **Section 3. Behavior**

Acceptable behavior is mandatory at all home and away games and at all Booster Club functions and activities. Any member who acts in violation of this charge may be reported to a member of the Executive Board. That member of the Executive Board shall report the alleged incident at the next Board of Directors meeting. At that time the Board of Directors will determine if further action shall be necessary. If the Board of Directors determines due cause for these allegations, the accused member will be notified by certified and return receipt requested mail within seven (7) business days. The accused member will then have seven (7) business days to respond by certified mail to the Board of Directors regarding the allegations. A hearing shall be scheduled for the next scheduled Board of Directors meeting at which time the board will decide on the disposition of the allegations. If the membership is terminated, he/she may reapply for membership for the following year. The application for reinstatement will be reviewed by the Board of Directors within thirty (30) days of receipt. The terminated individual may request a hearing by the Board of Directors at the next scheduled meeting. The Board of Directors shall decide on reinstatement and notify the individual within seven (7) business days of the decision. A member may only be reinstated following a disciplinary action once.

#### **Section 4. Right to refuse**

The Booster Club reserves the right to terminate any membership within thirty (30) full days of receipt of membership form and payment for any reason without hearing, in such case the Booster Club shall issue a full refund of dues paid for the current year.

#### **Section 5. Resignation**

Any member may resign by filing a written resignation with any member of the Board of Directors. Such resignation shall become effective immediately. The resigning member shall not be entitled to a refund of dues nor any other contributions made to the Booster Club. Upon such resignation, the member shall

immediately return any and all property of the Booster Club in his/her possession to any member of the Board of Directors.

### **Section 6. Reinstatement**

Upon written request signed by a former Booster Club member and filed with the Secretary, the Board of Directors may, by affirmative majority vote of the Board of Directors, reinstate such former member upon such terms as the Board of Directors may deem appropriate.

## **Article V - Executive Board and Board of Directors**

### **Section 1. Function**

The function of the Board of Directors is to serve as the representatives of the Booster Club membership. They shall also serve as advisers to the Booster Club on matters that will improve or benefit the Booster Club. The chairperson of the Board of Directors shall be the President, running concurrently with the Booster Club office of President. The Board of Directors shall meet at least once a month. A quorum must be present for each meeting. Any matter voted on by the Board of Directors shall require a simple majority vote (half of voters, +1 vote) to pass, unless otherwise directed by the by-laws or previous Board of Directors motion.

### **Section 2. Executive Board**

The Executive Board of the Booster Club shall consist of:

- A. President
- B. Vice-president
- C. Secretary
- D. Treasurer

These office holders shall be considered the corporation's officers.

### **Section 3. Board of Directors**

The Board of Directors of the Booster Club shall consist of:

- A. The Executive Board members and six (6) elected at-large members, elected by a plurality of the voting membership present at the May Meeting of the Booster Club, in accordance to the election laws of the Booster Club.
- B. An additional board seat is held for the most recent former President, if he/she so chooses to accept the seat. If he/she chooses not to serve, the position will be filled by election, elected by a plurality of the voting membership present at the May Meeting of the Booster Club, in accordance to the election laws of the Booster Club.
- C. All Board of Directors members shall hold office for two (2) years or until their respective successors are elected and take office.
- D. Should there be not enough candidates for the available at-large Board of Directors seats the incoming President shall, at his/her discretion, appoint any eligible Booster Club member to fill the vacancies. Any such appointees shall be confirmed by the incoming elected Board of Directors members by simple majority vote.

### **Section 4. Vacancies and Removal**

- A. Any at-large Board of Directors member may be removed from office under the following circumstances and said office shall be declared vacant.
  1. Unexcused absences in two (2) consecutive Board of Directors or general membership meetings, or
  2. Unexcused absences in three (3) out of five (5) consecutive Board of Directors or general membership meetings, or
  3. Failing to perform the duties assigned to them, or
  4. Conduct detrimental to the Booster Club

- B. Removal shall be voted on by the Executive Board, with three (3) votes needed to remove an at-large Board of Directors member. Vacancies will be filled by Booster Club membership vote. The President shall appoint an acting board member from the eligible Booster Club membership to fill the vacancy until a special election can be held.
- C. Any Executive Board member may be removed from office under the following circumstances and said office shall be declared vacant.
  - 1. Unexcused absences in two (2) consecutive Board of Directors or general membership meetings, or
  - 2. Unexcused absences in three (3) out of five (5) consecutive Board of Directors or general membership meetings, or
  - 3. Failing to perform the duties assigned to them, or
  - 4. Conduct detrimental to the Booster Club
- D. Removal shall be voted on by the Executive Board, excluding the Executive Board member being considered, and including the at-large Board of Directors member with the most seniority on the Board. Should two (2) or more at-large members have the same seniority the member who received the most votes in the previous election shall be considered the most senior. Three (3) votes are needed to remove a Booster Club officer. Vacancies in the President or Vice-President offices will be filled by succession. Secretary, and Treasurer will be filled by Booster Club membership vote. The President shall appoint an acting officer from the at-large Board of Directors members to fill the vacancy until a special election can be held.

### **Section 5. Duties of the President**

- A. The President shall serve as Chairperson and preside over all Board of Directors and general membership meetings of the Booster Club.
- B. The President shall have the power to appoint such standing and special committees as may be necessary for the orderly transaction of the business of the Booster Club.
- C. The President shall be the Executive Officer of the Booster Club and exercise supervision over its affairs and is authorized and empowered to act upon all such matters not requiring the action of the Booster Club in an assembled meeting.
- D. Shall be the Booster Clubs primary point of contact with the Worcester Railers Hockey Club.
- E. May suspend and/or remove any officer/board member of the Booster Club who is derelict in their duty or whose conduct is adjudged unbecoming for an officer/board member of the Booster Club, subject to the rules in the appropriate articles and sections.
- F. Shall, to the best of his/her ability, do or cause to be done, all of those things which are required or that shall be deemed necessary to execute the provisions of the by-laws.
- G. Shall vote as any other member on any issue requiring a majority vote.
- H. Shall also:
  - 1. Debate from the floor.
  - 2. Remain neutral on controversial issues, except when debating from the floor.
  - 3. Allow full discussion on all debatable motions.
  - 4. Be a member, ex officio, of all committees except the Nomination/Election and Constitution/By-law committees.
- I. Shall appoint, and may remove without hearing, any standing and special committee chairpersons and/or members.
- J. Collect and review the work plan and budgetary request from each Booster Club committee chairperson.
- K. Submit to the general membership an anticipated budget following receipt and review of the budgetary requests of the Booster Club committees.
- L. Shall be the second (2<sup>nd</sup>) signature on the General Fund's signature card on file with the Booster Club bank.
- M. Shall be the second (2<sup>nd</sup>) signature on the Charity Fund's signature card on file with the Booster Club's bank of record.

## **Section 6. Duties of the Vice-president**

- A. In the absence or the disability of the President, the Vice-president shall perform all the duties of the President
- B. Shall be the secondary contact officer with the Worcester Railers Hockey Club.
- C. Shall be the third (3<sup>rd</sup>) signature on the General Fund's signature card on file with the Booster Club bank.
- D. Shall be the third (3<sup>rd</sup>) signature on the Charity Fund's signature card on file with the Booster Club's bank of record
- E. Shall have such powers and duties as the President or Board of Directors may delegate to him/her as provided by the bylaws.
- F. Because of the possibility of succession to the position of President, any club member who is ineligible or unwilling to assume the position of President is ineligible to fill the position of Vice-president.
- G. Shall directly oversee the Fundraising Committee and the Charity Committee, along with any other committees as designated by the President or Board of Directors.

## **Section 8. Duties of the Secretary**

- A. Keep a record of the Board of Directors and/or general membership meetings of the Booster Club.
- B. Shall be custodian of all Booster Club records
- C. Notify the membership of election results.
- D. Issue notices of the meetings of the Booster Club.
- E. Receive and distribute all Booster Club Mailings.
- F. Shall have such powers and duties as the President or Board of Directors may delegate to him/her as provided by the bylaws.
- G. In the event that the offices of President, and Vice-president become vacant, the Secretary will assume the role of acting President until the general membership of the Booster Club holds a regularly scheduled membership meeting. The members in attendance at that meeting will chose, by simple majority vote, one of the following options:
  - 1. Confirm the Secretary in office until the regularly scheduled Annual Membership Meeting.
  - 2. Appoint another club member as the acting President until the Annual Membership meeting or until a special election can be held. If the membership chooses to hold a special election, all unfilled offices may be filled. The term of office for all officers elected with this procedure will only be until the next regularly scheduled Annual Membership meeting where elections are to be held.
- H. Responsible for the Booster Club's website, either by becoming the webmaster or securing volunteers to become webmaster. As a last resort, the Booster Club may hire a qualified person/company to oversee the Booster Club's web presence.
- I. Responsible for all membership information.

## **Section 9. Duties of the Treasurer**

- A. Receive, record, and account for all funds in the General Fund of the Booster Club and shall be custodian of said funds. All monies received must be deposited within a reasonable amount of time as determined by the Board of Directors.
- B. Make disbursements as are authorized only by the instrument of a check, or by club credit/debit card.
- C. Keep proper vouchers and books of account, which shall be open to inspection by any Executive Board member at any Board of Directors meeting or general meeting, or special committee.
- D. Shall submit a written financial statement at the Annual Meeting of the Booster Club, or as otherwise directed by the Board of Directors.
- E. Do all billings as needed.
- F. Receive and disburse general Booster Club funds only. The Treasurer shall not participate in the administration or handling of funds for activities such as 50/50 raffles or other charity fundraising.
- G. Shall be the first (1<sup>st</sup>) signature on the General Fund's signature card on file with the Booster Club's bank.
- H. Shall be the first (1<sup>st</sup>) signature on the Charity Fund's signature card on file with the Booster Club's bank.

- I. Review and consolidate the budget requests received from each committee Chairperson and Board of Directors member.
- J. Prepare and submit to the Board of Directors a working budget, based on the committee and board requirements, for the current membership year.
- K. In the event that the offices of President, Vice-president, and Secretary become vacant, the Treasurer will assume the role of acting President until the general membership of the Booster Club holds a regularly scheduled membership meeting. The members in attendance at that meeting will chose, by simple majority vote, one of the following options:
  - 1. Confirm the Treasurer in office until the regularly scheduled Annual Membership Meeting.
  - 2. Appoint another club member as the acting President until the Annual Membership Meeting or until a special election can be held. If the membership chooses to hold a special election, all unfilled offices may be filled. The term of office for all officers elected with this procedure will only be until the next regularly scheduled Annual Membership Meeting where elections are to be held.

**Section 10. Excused Absence**

Requests to be excused from any general membership or Board of Directors meeting must be received by the President or Secretary, to be approved by the President, no later than twenty-four (24) hours prior to the meeting. Such requests shall not be unreasonably denied.

**Section 11. Forfeit**

Any Board of Directors member suspended or expelled from the Booster Club shall automatically forfeit their membership on the Board of Directors and/or Executive Board.

**Section 12. Compensation**

The Board of Directors shall receive no compensation for their services as members. The Board of Directors shall, however, authorize the reimbursement of actual and necessary reasonable expenses incurred by members and committees performing their duties.

**Article VI – Dues**

- A. The annual dues shall be set by the Board of Directors each year and such fees shall appear on the Booster Club membership application form.
- B. Reminders will be distributed to members in the August newsletter. Members who are delinquent in the dues as of 31 October, will be dropped from the membership rolls.
- C. Delinquent and past members shall be immediately reinstated to the membership rolls upon payment of annual dues for the current year.

**Article VII - Committees**

**Section 1. General**

- A. There are two types of committees, standing and special, and all committees shall only have the power designated to them by the By-laws or by the motion that created them.
- B. Each committee shall have a Chairperson appointed by the President of the Booster Club, and such appointee shall be at least eight-teen (18) years of age.
- C. Minutes of committee meetings will be maintained and belong solely to the committee.
- D. Recommendations from a committee Chairperson are deemed moved and seconded and need only the vote of the Board of Directors for approval.
- E. When the Chairperson of a committee changes, there shall be an accounting and balancing of the necessary financial information.

- F. A list of committee members shall be submitted to the Board of Directors whenever there is a change in members of said committee.
- G. The Chairperson shall submit a written report to the President to include members' participation on committee activities.
- H. The Chairperson shall keep an accounting of all funds generated and disbursed by the committee and submit a written report to the Booster Club at the general monthly meeting. In the event no new financial transactions occur a verbal negative report will be sufficient.
- I. Each Chairperson will submit a work plan and a budget request for their committee to the Booster Club President with one (1) month of being appointed as the committee Chairperson. Each work plan will include the duties of the committee and the procedures the committee will use in fulfilling those duties.
- J. A copy of all official communications between committees and the Board of Directors shall be given to the Secretary for archival purposes.

## **Section 2. Standing Committees**

- A. The purposes of the standing committees are as follows:
  1. Membership - Solicit and enroll new members.
  2. Events/Entertainment - Researches, plans, and prepares for social gatherings.
  3. Trips - Arrange and schedule transportation, tickets and lodging for away games, or work with Events/Entertainment for all non-Railers activities.
  4. Communications/Newsletters/Publicity - Make the public aware of the Booster Club and its purpose.
  5. Awards - Arrange for purchase and presentation of all Booster Club awards.
  6. Fundraising - Coordinate projects for raising funds to operate Booster Club.
  7. Nomination/Election - Solicit, prepare, and present nominations for selection of Officers and at-large Executive Board members. Ensure all candidates are eligible for office and all elections are fair and accurate.
  8. Parade – Coordinate with organizations to include Booster Club in planned events.
  9. Constitution/By-laws - Collect, research, prepare, and present all recommendations for amendments to the Constitution and the By-laws.
  10. Charity - Arrange for coverage of 50/50, Chuck-a-puck, and any other charitable fundraising tables, and the collection/dispersal of raised funds to 501(c)(3) organizations.
  11. Financial – Responsible for overseeing all Booster Club funds and to assist by any means necessary the compilation and completion of financial documents.
  12. Game Night – Arrange for coverage of all game night giveaways and other associated tasks related to game nights.
  13. Hospitality – Coordinate with visiting booster clubs and provide what support necessary to make their experience a favorable one.
  14. Historian - Will keep an accurate record and up to date log of all activities that the Booster Club participates in.
  15. Sports - Organize/coordinate sports team(s) by creating sign-up sheets, scheduling practices and facilities.
  16. Junior Boosters – Arrange activities for junior/youth members.
- B. No committee work shall be undertaken without the consent of the Board of Directors. Such consent is automatically given to committees performing actions specifically listed in the Bylaws for their committees.

## **Section 3. Special Committees**

A special committee will be created as needed and shall remain in being as long as the need exists or until the project is complete. Special committee Chairpersons will submit a working plan and budgetary requests to the Board of Directors within one (1) month following the first meeting of the special committee.

## **Article VIII - Financial**

### **Section 1. Bank accounts**

- A. In general, two (2) bank accounts will be maintained, one of which will be classified as the General Fund and the second classified as the Charity Fund. Special funds may be created as required by the Board of Directors.
- B. The Treasurer will be the custodian of the General Fund as provided for in Article 5, Section 9A of the By-laws under Duties of the Treasurer.
- C. All disbursements will be made by check.
  - 1. All checks written against any Booster Club account other than the General Fund shall require two (2) signatures.
  - 2. Any check written against the Booster Club's General Fund for \$200 or more, or any lesser amount as pre-determined by the Booster Club's banking institution, shall require two (2) signatures.
- D. All returned checks are to be made good within fifteen (15) days of notification for the full amount plus return check charge in cash or money order. Failure to make good on a returned check will be cause for the Booster Club to take all necessary legal action at the cost of the offender. The returned check charges will be twenty-five dollars (\$25.00) or the maximum amount allowed by law, whichever is less

### **Section 2. Petty Disbursements**

The Board of Directors shall have the authority to make expenditures of a non-recurring nature to a maximum of five hundred dollars (\$500.00) per month without the approval of the general membership, provided the expenditure is in the best interests of the Booster Club.

### **Section 3. Audits**

- A. Audits shall be performed annually in May by an Auditing Committee appointed by the Board of Directors.
- B. When the office of Treasurer is vacated prior to the new Treasurer taking office. A report of the audit will be submitted to the Board of Directors for presentation to the general membership at the next meeting of the Booster Club.
- C. The President may, at his/her discretion, form a special committee to audit any or all financial accounts at any time.
- D. The Board of Directors may, by simple majority vote, direct the President to form a special committee to audit any or all financial accounts at any Board of Directors meeting. Such committee shall be formed within ten (10) days, unless otherwise directed by the Board of Directors.
  - 1. Should the Board of Directors direct the President to form a special committee to audit any or all financial accounts, the Board of Directors shall have the right and authority to confirm each member by simple majority vote. Any proposed committee member not confirmed is disqualified from serving on said committee.

## **Article IX - Elections**

### **Section 1. Nominations**

- A. Nominations for all Booster Club offices and Board of Directors positions shall take place during the April general Booster Club meeting during election years in which their terms expire.
- B. The qualifications for being nominated for any elected position shall be the person must be a member in good standing and at least eight-teen (18) years of age at the time of nomination. No more than two (2) household members can be successfully nominated/elected during the current nomination cycle.
- C. Nominations will be done in the following order: President; Vice-President; Secretary; Treasurer.
- D. Members in good standing may nominate one person per Booster Club office. All nominations must be seconded by another member in good standing. The nominee will then be asked if they accept the nomination. If the nomination is accepted, the Secretary and/or Treasurer will then determine if the



nominee meets the minimum qualifications. If the nominee meets the qualifications his/her name shall then be reported to the Elections Committee as a candidate. That member may no longer be nominated for any other elected position during the current nomination cycle.

- E. Nominations will continue until no further nominations for that office are entered. Nominations will then proceed to the next listed office.
- F. Once nominations for Booster Club officers have concluded nominations for Board of Director seats shall begin, with nominee qualifications being the same as for Booster Club Executive Board.
- G. Members in good standing may nominate any number of candidates for the Board of Directors. All nominations must be seconded by another member in good standing. The nominee will then be asked if they accept the nomination. If the nomination is accepted, the Secretary and/or Treasurer will then determine if the nominee meets the minimum qualifications. If the nominee meets the qualifications his/her name shall then be reported to the Elections Committee as a candidate. That member may no longer be nominated for any other elected position during the current nomination cycle.
- H. If a nominee cannot be present during the Nominations meetings, he may accept a nomination by submitting an e-mail or letter to the Booster Club Secretary no later than three (3) days prior to the Nomination meeting.
- I. Balloting and Nominations for any Booster Club office shall not occur within the same meeting unless a 75% affirmative vote of all current Board of Directors members directs such action.
- J. Any candidate running unopposed shall be declared the winner by acclamation.

## **Section 2. Publication of Nominee's names**

- A. The Election Committee shall report the names of all candidates for each office for publication to the Booster Club webmaster and Newsletter Editor no sooner than three (3) days after nominations and no later than ten (10) days after nominations. Such names will be listed by office in random order, and must be placed for publication in the order listed by the Election Committee.
- B. Candidates for Booster Club Board of Directors may submit to the Election Committee an essay containing biographical and other pertinent information not to exceed three hundred (300) words and such information will appear with their name on the website and newsletter. Such information must be submitted to the Election Committee within seven (7) days of nomination.
- C. Candidates for Executive Board may submit to the Election Committee an essay containing biographical and other pertinent information not to exceed four hundred fifty (450) words and such information will appear with their name on the website and newsletter. Such information must be submitted to the Election Committee within seven (7) days of nomination.
- D. Should the Election Committee determine that any submitted essay is not suitable for publication the Election Committee shall report said information to the candidate as soon as is possible so changes may be made. If no changes are submitted it is the right and authority of the Election Committee to refuse the essay in its entirety.
- E. If all candidates submit suitable essays prior to the seventh (7<sup>th</sup>) day, the Election Committee may, at its discretion, report all information for publication prior to the seventh (7<sup>th</sup>) day after the Nomination meeting.

## **Section 3. Balloting**

- A. Balloting shall take place during the next scheduled monthly general meeting after nominations.
- B. The Secretary will provide to the Election Committee a list of all members in good standing, and only members whose name appears on that list may cast ballots. Should any person not be listed and believe they should be listed as a member in good standing a provisional ballot can be cast until the eligibility of said member is determined. If the number of provisional ballots cast is less than the difference between any winning and losing candidates the provisional ballots will not be counted in any manner and will be turned over to the Election Committee for disposal.
- C. Balloting will be done by secret paper ballot. Each candidate for office will be listed in random order determined separately from the publication order. Members will vote for one (1) candidate for each Booster Club office and may cast the number of votes equal to the maximum number of Board of Directors seats available during the election.

- D. The Election Committee will be responsible for the counting of ballots. Should there not be an adequate number of Election Committee members present to count said ballots the Election Committee Chairperson has the right and authority to select a non-candidate to help in ballot counting. While not required, the Election Committee Chairperson should attempt to select a person acceptable to all candidates.
- E. Once all ballots are counted the ballots will be presented to the Secretary for storage and the results will be reported to the current President.

#### **Section 4. Recounts**

- A. Any candidate may request a recounting of the ballots during the general meeting the balloting took place. If a recount is requested the current President and Election Committee Chairperson will recount the ballots. Should the current President be involved in the election being recounted the Vice-President will stand in his/her place during the recount. Should both the President and Vice-President be involved with recounts the Secretary will stand in their places. Should all three (3) officers be involved, the Election Committee Chairperson has the right and authority to select a different non-candidate to help in ballot counting. While not required, the Election Committee Chairperson should attempt to select a person acceptable to all candidates.
- B. Once all ballots are recounted the ballots will be presented to the Secretary for storage and the results reported to the current President.

#### **Section 5. Ballot Inspection**

Any candidate may inspect the ballots after they have been given to the Secretary, and any inspection must take place in view of the Secretary or his/her appointed representative. The Secretary will notate which candidate has inspected the ballots and the name of any representative used by the Secretary, and such notation will be kept with the ballots with a copy of each notation kept by the Secretary for independent record keeping.

## **Article X - Meeting Schedules**

### **Section 1. General Meetings**

The Booster Club shall hold regular monthly general membership meetings, or other events during the hockey season. Up to two (2) scheduled meetings or events may be canceled by a majority vote of the membership of the Board of Directors. In such instances, adequate notice shall be provided to the membership. A minimum of 15 days' notice shall be given to the membership concerning the time and location of the general meeting, unless circumstances do not allow for the minimum notice to be given. Notice shall be by e-mail, internet posting, newsletter, or any other reasonable method of communication.

### **Section 2. Board of Directors Meetings**

Meetings of the Board of Directors shall be held at least once each calendar month. Additional meetings may be scheduled. Scheduled meetings will be announced to the Board of Directors members at least seven days prior to the meeting, unless circumstances do not allow for the minimum notice to be given. Notice shall be by e-mail, internet posting, newsletter, or any other reasonable method of communication. Up to two (2) scheduled meetings or events may be canceled by a two-thirds (2/3) vote by the Board of Directors.

### **Section 3. Annual Meeting**

The Booster Club's Annual Meeting shall be held in May to coincide with the beginning of the Booster Club's business year.

#### **Section 4. Emergency Meetings**

An emergency meeting of the Board of Directors may be called by the President, with no less than twenty-four (24) hours' notice, whenever in the opinion of the President an issue requires immediate Board of Directors action. Whenever such emergency meeting is called, the chair shall notify the Secretary. The Secretary shall immediately serve either verbal or written (including E-mail) notice upon each member of the Board of Directors, stating the date, hour and place of the meeting and the purpose for which the meeting has been called. No other business shall be transacted at such meeting unless additional emergency matters are agreed to by two-thirds (2/3) of those Board of Directors members in attendance. The minutes of each emergency meeting shall show the manner and method by which notice of such emergency meeting was given to each member of the Board of Directors.

- A. If the President is unable to inform the Secretary of any emergency meeting after making reasonable attempts, any Executive Board member other than the President may act in place of the Secretary.

### **Article XI - Contracts, Checks, Deposits, and Funds**

#### **Section 1. Contracts**

The Board of Directors may authorize any member or members, agent or agents of the Booster Club, in addition to the individuals so authorized by these by-laws, to enter into any contract or execute and deliver any instrument in the name of and on behalf of the Booster Club, and such authority may be general or confined to specific instances.

#### **Section 2. Checks, Drafts, etc.**

All checks, drafts or orders for the payment of money, notes or other evidences of indebtedness issued in the name of the Booster Club, shall be signed by such member or members, agent or agents of the corporation and in such manner as shall from time to time be determined by resolution of the Board of Directors. In the absence of such determination by the Board of Directors, such instruments shall be signed by the Treasurer. In the absence of the Treasurer the President or Vice President of the Booster Club shall sign such instruments.

#### **Section 3. Deposits**

All funds of the corporation shall be deposited in a timely manner to the credit of the corporation in such banks, or other depositories as the Board of Directors may select.

#### **Section 4. Gifts**

The Board of Directors may accept on behalf of the Booster Club any contribution, gift, bequest or device for the general purposes or for any special purpose of the Booster Club. All gifts shall be reported to the Board of Directors at the next meeting.

### **Article XII - Books and Records**

The Booster Club shall keep correct and complete books and records of account and shall also keep minutes of the proceedings of its general meetings, to include planned agendas even if such items were not addressed. All books and public records of the Booster Club may be inspected by any member, or his agent or attorney, for any proper purpose at any reasonable time.

## **Article XIII - Standing Rules**

### **Section 1. Meeting Attendees**

General Membership monthly meetings are open to the general public, with the exception of the meeting which holds election voting. General meetings may be designated as "Members Only" with prior approval of the Board of Directors, and seven (7) days' notice posted via e-mail or the Booster Club's website.

### **Section 2. Trips/Functions Conduct**

The following rules have been adopted by this Booster Club and must be observed by anyone making trips and/or attending Booster Club functions:

- A. The use or selling of Marijuana and/or other illegal drugs is not permitted
- B. Anyone indulging in alcoholic beverages must keep himself or herself in complete control. Anyone abusing this will be asked to leave. Underage drinking is strictly prohibited.
- C. While in other cities, all participants in Booster Club sponsored trips shall conduct themselves in an orderly manner. Being the aggressor with the home team fans is not permitted. We are their guests and should conduct ourselves in a proper manner.
- D. Any participant in a Booster Club trip not conducting themselves properly and failing to respond to any General Authority's request to stop their conduct, will not be permitted to attend any more activities, and may be subject to further discipline.
- E. Any participant in a Booster Club trip who is not at the proper place at the proper time for the bus or airplane will be left behind and will be responsible for their own transportation home.
- F. Refund policy will be determined by the Board of Directors.
- G. No one under the age of eighteen shall be permitted to take a road trip unless accompanied by a parent, legal guardian or family member.
- H. Any attire displaying foul language, controversial political messages, showing support for an opposing team, or in any other way could be described as inappropriate, is prohibited from any and all Booster Club functions.

## **Article XIV – Stalking**

- A. There shall be no unwarranted contact between players and/or Worcester Railers employees and/or DCU Center employees and Booster Club members. Unwarranted contact shall include, but not be limited to:
  1. Unauthorized and/or inappropriate contact with players, players' families, or significant others unless sanctioned by the player;
  2. Abusive emails, faxes, and internet abuse; and
  3. Unauthorized possession, distribution, or use of private and/or cell phone numbers, home addresses or private email addresses.
- B. No stalking as defined by Massachusetts state law, and/or by the laws of any state a Booster Club event takes place..

## **Article XV - Sexual Harassment**

### **Section 1. Definition**

For the purposes of this policy sexual harassment is defined, as it is in the Equal Employment Opportunity Commission Guidelines, as unwelcome or unwanted sexual advances, request for sexual favors and other verbal or physical conduct of a sexual nature when:

- A. Submission to such conduct is made either explicitly or implicitly a term or condition of an individual's membership;
- B. Submission to or rejection of such conduct by an individual is used as the basis for decisions affecting such individual; or

- C. Such conduct has the purpose or effect of unreasonably interfering with an individual's work for the Booster Club or creating an intimidating, hostile or offensive environment.

## **Section 2. Investigation**

The investigation of complaints of sexual harassment is the responsibility of the Executive Board, excluding any Executive Board member that may be implicated in said incident. Any investigating Executive Board member has the right and authority to make a report directly to the Board of Directors at any point in the investigation process in the event that the conclusion that discrimination, harassment, or other issues require attention at that level of the organization.

- A. All investigations shall be done in a manner to preserve and protect the privacy of all individuals involved.

## **Section 3. Retaliation for Reporting/False Reporting**

Retaliation against an individual for reporting harassment or discrimination or assisting in providing information relevant to a claim of harassment or discrimination, is a serious violation of this policy and will be treated with the same strict discipline as will the harassment or discrimination itself. Acts of retaliation should be reported immediately and will be investigated promptly. False and malicious complaints of harassment or discrimination, as opposed to complaints which, even if erroneous, are made in good faith, will be the subject of appropriate disciplinary action

## **Article XVI - Anti-Discrimination Policy**

The Booster Club, the Executive Board, the Board of Directors, any standing or special committees, and any person or persons representing the Booster Club in any manner, shall not discriminate on the basis of gender, race, national origin, religious beliefs, age, marital status, disability, or sexual orientation at any time.

## **Article XVII - Amendments to By-laws**

### **Section 1. Revisions of Rules/Bylaws.**

Any member may propose amendment(s) to these By-Laws at any general Booster Club meeting. Such requests shall be presented in writing and shall be referred to the By-Laws Committee for review and consideration. Proposed amendments of the By-Laws committee shall be presented for review and approval by the Board of Directors. A two-thirds (2/3rds) affirmative vote of the Board of Directors is required to recommend such amendments. The proposed amendment(s) shall then be presented to the general membership for vote for two consecutive general meetings for approval by two-thirds (2/3rds) of the attending general membership.

### **Section 2. Suspension of Rules/Bylaws.**

Suspension of a rule/bylaw or a portion thereof may be voted on by the Board of Directors and shall require a simple majority vote (half of voters, +1 vote) to pass. Suspension shall have a time limit designated with the suspension and shall also be communicated at the next General Membership meeting.

## **Article XVIII - Dissolution of the Corporation**

Upon the dissolution of the Booster Club, assets shall be distributed for one or more exempt purposes within the meaning of section 501(c)(3) of the Internal Revenue Code, or the corresponding section 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 so disposed of shall be disposed of by a Court of Competent Jurisdiction 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 exclusively for such purposes.

## **Article XIX - By-law Provisions Contrary to or Inconsistent with Provision of Law**

Should any article, section, subsection, subdivision, sentence, clause or phrase of these By-Laws be contrary to or inconsistent with any applicable provision of law, they shall not apply so long as said provisions of law shall remain in effect, but such result shall not affect the validity or applicability of any other portions of these By-Laws. It is hereby declared that these By-Laws, and each article, section, subsection, subdivision, sentence, clause, or phrase thereof, would have been adopted irrespective of the fact that any one or more articles, sections, subsections, subdivisions, sentences, clauses or phrases is or are illegal.