

Adopted: November 14, 2013

Amended: April 4, 2016

Amended: March 6, 2017

Amended: May 14, 2018

Amended: May 24, 2019

ELITE HEAT CHEER, INC.

Article I – Name

The name of this organization shall be “Elite Heat Cheer, Inc.”.

Article II – Purposes

The main purposes of the organization is to assist and support all athletes on the Elite Heat All Star Cheer teams and their families and to encourage and develop good sportsmanship, team unity, and positive interactions among athletes, families, and the community as a whole. Said organization is organized exclusively for charitable, religious, educational, and scientific purposes, including, for such purposes, the making of distribution to organizations that qualify as exempt organizations under section 501 (c)(3) of the Internal Revenue Code, or corresponding section of any future federal tax code.

Article III – Responsibilities

The responsibilities of Elite Heat Cheer, Inc. may include but are not exclusive to:

1. Elite Heat Cheer, Inc. will organize and run the mandatory choreography raffle. Elite Heat All-Stars will provide Elite Heat Cheer, Inc. with a pre-determined amount required for choreography per athlete. Elite Heat Cheer, Inc. will give the predetermined amount to Elite Heat All-Stars. Any excess in monies raised will reside in the Elite Heat Cheer, Inc. fund for the athletes and their families;
2. Purchase uniforms/sneakers/warm-up/practice gear;
3. Organizing, coordinating and overseeing fundraising opportunities to offset the costs associated with all-star cheerleading;
4. Conduct community awareness and service projects;
5. Act as a liaison between the parents and Elite Heat All-Stars; and
6. Team bonding activities

Article IV – Membership

The organization is open to any parent or guardian of an Elite Heat Cheerleader. All members in good standing have the right to vote and hold office. In order to be a member in good standing, you must be current with your tuition to Elite Heat All-Stars, paid-to-date for items collected by Elite Heat All-Stars (i.e. competition fees, uniforms, etc.) and have paid yearly membership dues. Annual membership dues shall be set at \$25 per family and may be changed by simple majority vote of the current Executive Board. Annual membership dues shall be assessed the first day of the month in which Team Fees are assessed. The membership dues cover operating expenses such as shipping, copying, media materials and supplies to sustain the organization. Any member who leaves the organization prior to season’s end, forfeits all monies paid to Elite Heat Cheer, Inc. and/or Elite Heat All-Stars.

Article V – Officers/Duties

The officers will consist of the president, secretary and the treasurer. These officers will make up the Executive Board. In order to be on the Executive Board, you must be a member of the Elite Heat program for at least one full season. Half-Year parents are not eligible.

1. President – 2 year term (elected in even years)

- a. Organize and preside over all executive and open membership meetings
- b. Shall be responsible for assuming the integrity of Board operations
- c. Shall appoint a chair and/or co-chair of all special committees from a pool of volunteers who are part of the organization's membership
- d. Shall be ex-officio member of all committees
- e. Shall coordinate and oversee all fundraising activities organized by or involving Elite Heat Cheer, Inc.
- f. Shall delegate tasks deemed necessary for Executive Board operations
- g. Authorized to sign checks, make deposits, payments, and agreed upon withdrawals only if Treasurer is unavailable.
- h. Shall act in whole or in part as the liaison between the owner, coaches, and Executive Board
- i. Perform such other duties as may be required by the Executive Board
- j. Shall manage the Booster Facebook Page, in addition to any other social media sites created by Elite Heat Cheer, Inc.
- k. Retains the right to correspond with the membership as needed

2. Secretary – 2 year term (elected in odd years)

- a. Shall record and keep minutes for all Executive Board and general membership meetings and email a copy to all members
- b. Shall notify all members of all general membership meetings and Elite Heat All-Stars
- c. Shall keep an accurate membership list with contact information for the purposes of voting
- d. Shall be responsible for all organization correspondence
- e. Shall manage the Booster email account and other electronic communications
- f. Shall forward emails sent to the Booster email account to the president/treasurer/ Divas/ Staff as needed, in a timely fashion
- g. Shall manage contacts for the Booster email account
- h. Shall perform such other duties as may be assigned by the Executive Board

3. Treasurer – 2 year term (elected in odd years)

- a. Shall maintain funds of the Elite Heat Cheer, Inc. including but not exclusive to dues, disbursements, and receipts.
- b. Shall be responsible for overseeing the Executive Board's process for monitoring fiscal performance against criteria embodied in Board policy
- c. Shall be responsible for Executive Board development in the area of financial policy making
- d. Shall keep all financial records and present a report at all Executive Board and general membership meetings and/or at any time at the request of the president
- e. Shall follow a fiscal year June 1st to May 31st
- f. Shall deposit all funds and manage all payments made to Elite Heat Cheer, Inc.
- g. Authorized to sign all checks and make agreed upon withdrawals
- h. Shall perform such other duties as may be assigned by the Executive Board

Article VI – Executive Board

The Executive Board is the main governing body of Elite Heat Cheer, Inc. and is comprised of the president, secretary and treasurer. The Executive Board shall meet when deemed necessary by the president to ensure the smooth operation of the organization, but can be no less than bimonthly. Such meetings may be conducted in person, by means of a conference call, or virtual communications allowing all persons participating in the meeting to hear each other at the same time. Participation by such shall constitute presence in person at a meeting. Confidentiality by all member of the Executive Board must be maintained unless the Executive Board unanimously agrees to share and/or disseminate specific information to the membership.

The term of the officers is two (2) years, as described herein, to coincide with the beginning and ending of the cheer season. If an officer is unable to fulfill his/her full two (2) year term or abandons and/or resigns his/her elected term prior to fulfilling his/her two (2) year term, the Executive Board can appoint an interim officer to fill the vacancy until the next election.

The treasurer has the authority to pay other expenses directly related to organizational business/team expenses (i.e. uniforms, cheer wear, required business filing fees). All other expenditures (i.e. celebrations, coaches' gifts) must be voted on by the Executive Board. This vote shall consist of a simple majority and can be taken at an Executive Board meeting or via e-mail with a one-week deadline to respond. No response shall be considered agreement.

Article VII – Elections

1. Prior to elections, the Executive Board shall receive nominations for vacant officer positions. Nominations will be due no less than 3 business days after the posting of the position(s).
2. The past members of the Executive Board and the current or outgoing president will select a committee to select the replacement officers. The committee can be no less than three (3) people and must be comprised of members in good standing with Elite Heat All-Stars. The Election Committee will select the officers from the pool of candidates.
3. If a position is unopposed, the candidate is automatically named to that office.

Article VIII – Meetings

General membership meetings will take place when deemed necessary by two (2) Executive Board members. The general membership meeting shall be at the meet-and-greet at the beginning of the cheer season. The Executive Board will call additional general membership meetings as-needed. Elite Heat All-Stars shall be notified of agreed upon date and time and shall have option to attend.

Article IX – Committees

The Executive Board may create any standing committee deemed necessary to further the goals of the organization. The president, in cooperation with the Executive Board, shall appoint from a pool of volunteers, chairpersons of such committees. Committees may include, but are not limited to, fundraising, social, and team liaisons. Each chairperson can select general members to assist in the running of the committee. The chairperson is responsible for reporting activities and all financial accounting records to the Executive Board.

Article X – Team Bonding Funds

Each fiscal year, a designated amount of funds will be allocated for team bonding. The amount of funds will be determined by the Executive Board and will be dependent on the number of athletes placed on each team. To be reimbursed, all team bonding expenditures must be submitted to the Executive Board Treasurer by May 31, which is the end of the fiscal year. Team bonding allotments are for the sole benefit of the athletes and must be used for team bonding activities and/or athlete gifts.

Article XI- Conflicts of Interest

Whenever a director or officer has a financial or personal interest in any matter coming before the board, the board shall ensure that

1. The interest of such officer or director is fully disclosed to the board.
2. No Interested officer or director may vote or lobby on the matter or be counted in determining the existence of a quorum at the meeting of the board at which such matter is voted upon.
3. Any transaction in which a director or officer has a financial or personal interest shall be duly approved by members of the board not so interested or connected as being in the best interest of the organization.
4. The minutes of meetings at which such votes are taken shall record such disclosure, abstention, and rationale for approval.

Article XI – Use of Name

All correspondence, marketing, fundraising, and merchandising materials using the Elite Heat name and/or logo, must be approved by the Executive Board and/or Elite Heat All-Stars.

Article XII – Amendments

An amendment of the bylaws must be submitted in writing to the Executive Board. The Executive Board approves any such amendments by simple majority vote. Amendments approved by the Executive Board must be presented to the general membership via email or at a regular membership meeting. Amendments shall become effective upon the approval by a simple majority vote of the membership present at that meeting, or if presented via email, within a one-week deadline. No response shall be considered agreement.

Article XIII - Dissolution

Upon dissolution of Elite Heat Cheer, Inc., assets shall be distributed for one or more exempt purposes within the meaning of section 501 (c)(3) of the Internal Revenue Code, or 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. If there are remaining assets in excess of any reserve fund, it must either: (1) follow the procedures set forth in Article 10 of the New York State Not for Profit Law (N-PCL) for the dissolution of a corporation with assets, or (2) seek court approval via N-PCL §510 and §511 to sell or otherwise dispose of its remaining assets prior to filing a petition for a simplified dissolution.

.....The Fire Begins

Whistleblower Complaint/Resolution Policy

Elite Heat Cheer, Inc. requires director, officers and employees to observe high standards of business and personal ethics in the conduct of their duties and responsibilities. In keeping with the policy of maintaining the highest standards of conduct and ethics, Elite Heat Cheer Inc. will investigate complaints of suspected fraudulent or dishonest use or misuse of its resources or property by board members and volunteers. To maintain the highest standards, Elite Heat Cheer, Inc. will also investigate complaints concerning its programs and services.

Board members, volunteers and community members are encouraged to report suspected fraudulent or dishonest conduct or problems with services provided, pursuant to the procedures set forth below. This policy supplements, and does not replace, any procedures required by law, regulation or funding source requirement.

Reporting: A person's concerns about possible fraudulent or dishonest use or misuse of resources or property, or program operation, should be reported to any member of the Board. If, for any reason, a person finds it difficult to report his or her concerns to such person, s/he may report the concerns directly to the Elite Heat All-Stars Program Coordinator. Alternately, to facilitate reporting of suspected violations where the reporter wishes to remain anonymous, a written statement may be submitted to one of the individuals listed above.

Investigation. All relevant matters, including suspected but unproved matters, will be promptly reviewed and analyzed, with documentation of the receipt, retention, investigation, and treatment of the complaint. Appropriate corrective action will be taken, if necessary, and findings may be communicated to the reporting person and his or her supervisor, if appropriate. Investigations may be conducted by independent persons such as auditors and/or attorneys. Investigators will endeavor to maintain appropriate confidentiality, but confidentiality is not guaranteed.

No Retaliation. It is contrary to the values of Elite Heat Cheer Inc., for anyone to retaliate against any board member, officer, employee or volunteer who in good faith reports an ethics violation, or a suspected violation of law, such as a complaint of discrimination, or suspected fraud, or suspected violation of any regulation governing the operations of Elite Heat Cheer Inc.. A board member, director or volunteer who retaliates against someone who has reported a violation in good faith is subject to discipline up to and including termination from membership.