

CONSTITUTION OF CALIFORNIA MATHEMATICS COUNCIL,
COMMUNITY COLLEGES
FOUNDATION

ARTICLE I. NAME: The name of this organization shall be California Mathematics Council, Community Colleges Foundation (CMC³ Foundation).

ARTICLE II. PURPOSE: Said organization is created exclusively for charitable purposes;

To provide scholarships in the form of financial awards to students enrolled in community colleges under the purview of the California Mathematics Council, Community Colleges (CMC³), and under such guidelines as laid out in the By-Laws of this document.

To provide financial support to student-related mathematics-specific activities at community colleges under the purview of the California Mathematics Council, Community Colleges (CMC³).

The organization shall set criteria for, administer all activities allowing access to, and oversee all distribution of moneys granted.

ARTICLE III. MEMBERSHIP: All persons who are members of the California Mathematics Council, Community Colleges (CMC³) shall be regular members of the Foundation

Section A: Regular members of CMC³ shall become regular members of the CMC³ Foundation.

Section B: Only regular members shall have voting privileges.

Section C: Associate membership of the CMC³ Foundation shall consist of associate members of CMC³.

ARTICLE IV. OFFICERS: The Board of Directors of the CMC³ Foundation shall include five regular members with equal voting rights. They shall consist of

1. President, who shall be the appointed Scholarship Chairperson of CMC³.
2. The current Past-President of CMC³.
3. The current Treasurer of CMC³.
4. Two Directors-at-large elected by the general membership of the CMC³ Foundation. The duties, provisions of election, and terms of office shall be determined in the By-Laws of this document.

ARTICLE V. GOVERNMENT: The CMC³ Foundation shall be governed exclusively by the five members of the Board of Directors. The board shall only conduct business in the interest of the purpose as set forth in Article II, and under the restrictions and requirements of an organization described under Internal Revenue Code, Section 501(c)(3).

ARTICLE VI. ELECTIONS: Biannual elections for the two elected Board Members shall be conducted by a mail ballot of the Regular Membership, and will be held in

conjunction with the biannual elections of the CMC³ Board. Election shall be by a plurality of the returned ballots. In the event of a tie, the current CMC³ Foundation President shall draw lots.

ARTICLE VII. AMENDMENTS: This constitution may be amended by 2/3 of the membership voting.

Section A: The proposed constitutional amendment may be initiated by at least a 3/5 vote of the Board of Directors or by a petition signed by 40 regular members.

Section B: The proposed constitutional amendment will be submitted to the President of the CMC³ Foundation not later than September 1 of an election year. The President shall include the proposed amendment with the ballot.

ARTICLE VIII. RESTRICTION OF POWERS: No part of the net earnings of the organization shall inure to the benefit of, or be distributed to its members, trustees, officers, or other private persons, except that the corporation shall be authorized and empowered to pay reasonable compensation for services rendered and to make payments and distributions in furtherance of the purposes set forth in Article Two hereof. No substantial part of the activities of the organization shall be the carrying on of propaganda, or otherwise attempting to influence legislation, and the organization shall not participate in, or intervene in (including the publishing or distribution of statements) any political campaign on behalf of or in opposition of any candidate for public office. Notwithstanding any other provision of these articles, the corporation shall not carry on any other activities not permitted to be carried on (a) by an organization exempt from federal income tax under section 501(c)(3) of the Internal Revenue Code, or corresponding section of any future federal tax code, or (b) by an organization, contributions to which are deductible under section 170(c)(2) of the Internal Revenue Code, or corresponding section of any future federal tax code.

ARTICLE IX. DISSOLUTION: Upon the dissolution of the Foundation, assets shall be distributed for one or more exempt purposes within the meaning of section 501(c)(3) the Internal Revenue Code, or corresponding section of any future federal tax code, or shall be distributed to the federal government, for a public purpose. Any such assets not disposed of shall be disposed of by a Court of Common Pleas of the county in which the principal office of the organization 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 X. BY-LAWS: By-Laws to execute the provisions of this Constitution shall be adopted by the Board of Directors. These By-Laws shall delineate the responsibilities of the officers and committees and shall expedite the business operations of CMC³ Foundation.

This constitution was adopted on February 5, 1994, by a unanimous vote of the founding members of the CMC³ Foundation, all of whom are regular members of the California Mathematics Council, Community Colleges.

BY-LAWS OF CALIFORNIA MATHEMATICS COUNCIL,
COMMUNITY COLLEGES
FOUNDATION

ARTICLE I. GOALS:

Section A: To provide financial award or assistance to community college students in the State of California, under the purview of California Mathematics Council, Community Colleges (CMC³), who qualify for such award or assistance under the rules of a particular scholarship program created by the Board of Directors.

Section B: To establish, encourage, and reward student academic success.

Section C: To stimulate interest in mathematics and mathematics education.

Section D: To provide support, financial and otherwise, for student-related, mathematics-specific activities for community colleges within the purview of CMC³.

ARTICLE II. MEMBERSHIP:

Section A: Membership will be recognized upon receipt of payment of the annual dues to the California Mathematics Council, Community Colleges.

Section B: Application for associate membership of a group will be acted upon by the Board of Directors.

Section C: There will be no annual dues for Foundation members.

ARTICLE III. RESPONSIBILITIES OF THE BOARD OF DIRECTORS:

Section A: The duties of the President shall be:

1. To call and preside over all meetings of the CMC³ Foundation.
2. To serve as a liaison on the Board of the California Mathematics Council, Community Colleges (CMC³).
3. To be the official representative of the Foundation at all related functions.

Section B: The President shall designate a secretary who will keep minutes of all business meetings and Board of Director Meetings and will report at the following business meeting. The Secretary will file and maintain all records and official correspondence of the Foundation with the exception of the Treasurer's books.

Section C: The Treasurer of CMC³ shall be the Treasurer of the Foundation and keep all financial records of the organization. The Treasurer will give a report at each business meeting as well as an annual financial summary of the organization. The Treasurer shall also be required to maintain records and provide such information to the Internal Revenue Service as requested and/or required.

Section D: The Board of Directors as a whole shall

1. Create, review, and enforce equitable standards for granting scholarships and providing assistance in student-related activities.
2. Establish a program for soliciting contributions from interested persons, organizations, and corporations.
3. Create access for all students in community colleges to seek rewards for academic success.
4. Create and review working fair and equitable guidelines and criteria for granting scholarships.
5. Be solely responsible for selecting those who received scholarships or other financial assistance.

ARTICLE IV. RESTRICTIONS:

Section A: The Board of Directors shall establish and operate under a strict set of budgeting guidelines, adopted by the Board with respect to available moneys.

Section B: Operating expenses of the Foundation shall, in all earnest, be kept to a minimum, as to best use donated money.

Section C: The Board shall form scholarship programs that allow equal access to all students under the purview of CMC³.

Section D: The Board will use no funds to attempt to influence legislation.

ARTICLE V. TERMS OF OFFICE:

Section A: Terms of Office of the Foundation's Board of Directors shall be identical to those of the Board of Directors of CMC³.

Section B: In the event of a vacancy on the Board of Directors, the President shall appoint a replacement for the duration of the term. Said replacement shall be a regular member of the California Mathematics Council, Community Colleges.

Section C: In the event that the President of the Foundation cannot complete his/her term, the President of CMC³ shall appoint a replacement. This person will, in turn, serve as the Scholarship Chairperson for the California Mathematics Council, Community Colleges.

Section D: Any member of the Board of Directors will be terminated by a unanimous vote of the remaining members of the Board of Directors.

Section E: Upon the termination of a member of the Board of Directors, the provisions of Article V, Section B of the By-Laws shall be invoked.

ARTICLE VI. ELECTIONS:

Section A: The Directors-at-Large of the Foundation will be elected on a single adjunct ballot to be sent with CMC³ ballots. Those two candidates receiving the highest number of votes shall be elected to the Board.

Section B: The Foundation shall inform CMC³ of its intention to seek candidates for Foundation members according to the same timetables that apply to CMC³ officer elections. The Foundation will remind the Election Committee of CMC³ to inform those seeking offices of President and Treasurer of CMC³ are also committed to serve on the Foundation Board.

Section C: All other terms of election and termination shall coincide with those of CMC³.

ARTICLE VII. MEETINGS:

Section A: The CMC³ Foundation Board of Directors shall meet at least once per year to establish its annual scholarship program, along with associated budget, award allocations, participation and criteria for selection. Meetings shall be open to all members of the Foundation.

Section B: The CMC³ Foundation Board shall make public all intentions to offer scholarships to students along with an active attempt to enlist the interest of all members of CMC³, to encourage students to apply.

Section C: The Board will appoint committees to set forth and review the terms of an application for a particular scholarship. Procedures will be made clear and public.

Section D: No program for the issuance of scholarships or grants shall be in conflict with the stated purpose of the organization, or those set forth in the application to recognition as a Tax-Exempt Organization under Internal Revenue Code, Section 505(c)3.

ARTICLE VIII. AMENDMENTS:

Section A: These By-Laws may be amended by a majority of the membership voting. The proposed amendment may be initiated by at least 3/5 of the Board of Directors or by a petition signed by 30 regular members of the Foundation.

Section B: The Secretary will include an explanation of the proposed amendment with notice of a regular membership meeting. A simple majority vote of those in attendance at a regular membership meeting shall constitute ratification.

These By-Laws were adopted on FEBRUARY 5, 1994, by a unanimous vote of the founding members of the CMC³ Foundation, all of whom are regular members of the California Mathematics Council, Community Colleges.