

# PBA LEGENDS USA FOUNDATION POLICIES AND PROCEDURES MANUAL

## PREFACE

The primary purpose of this Manual is to set forth the policies and procedures that govern the operation and management of the PBA Legends USA Foundation.

These policies and procedures shall be reviewed and revised by the Board of Directors from time to time as necessary to meet the needs of the organization.

## LEGAL PERSONALITY

The PBA Legends USA Foundation is a legally recognized non-profit corporation in Washington State.

**Its UBI Number is 602-721-309  
issued on April 30, 2007.**

**Its IRS EIN is 26-0510539.**

The duration of the corporation is perpetual.

Its registered office is 421 Sawmill Court SE, Olympia, Washington 98513 USA.

## PURPOSES

- To advance and propagate the principles of athletics and sportsmanship, particularly among the youth and the community at large, under the leadership of former basketball players, and team officials (including referees) of the Philippine Basketball Association presently residing in the United States;
- To organize aforementioned players and officials to provide a continuing program for growth and development of individual members to be positive contributors in their new country;
- To provide coordination of activities undertaken for the poor and underprivileged, and among corporation members themselves;
- To undertake community-based civic projects, social advancement and athletic programs; and to provide for educational and scholarships for the youth.

- To engage in any other lawful activity which may hereafter be authorized from time to time by the Board of Directors; provided, however, that the purposes for which the corporation is formed shall at all times be consistent with Section 501c3 of the Internal Revenue Code of 1986, as it now exists or as hereafter amended (the “Code”), including within such purposes the making of distributions to organizations that qualify as exempt organizations under Section 501c3 of the Code.

## POWERS

This corporation shall have the power to do all lawful acts or things necessary, appropriate or desirable to carry out and in furtherance of its purposes which are consistent with the Washington Nonprofit Act and Section 501©3 of the Internal Revenue Code.

## MEMBERSHIP

Chartered members are those who initiated the founding of the organization. They will dedicate themselves to develop the short, medium and long-range programs of the organization along charitable, service, athletics development, citizenship and educational causes. The chartered (founding) members will elect among themselves the first set of officers who will serve for five years. They will likewise contribute One thousand dollars (\$ 1,000) each to the coffers of the organization to enable it to function at the onset.

Regular membership is open to qualified candidates who profess adherence to the purposes of the corporation, and who, through appropriate evaluation shall qualify or possess certain requirements for membership, i.e., record of civic leadership and service; education, athletics and charitable activities; and other complementary and similar attributes.

Membership fees are assessed at Ten dollars (\$10) a year.

Honorary memberships shall be by invitation to those with proven exemplary dedication to educational, athletics, civic and charitable pursuits.

### *Procedure*

1. Submit application form
2. Undergo evaluation process (meetings, visits, and examination) by the Membership Director
3. Pay membership fee after successful evaluation.
4. Swear in or Induction as Member.

## ORGANIZATIONAL STRUCTURE

PBA Legends USA Foundation shall have a governing body referred to as the Board of Directors. It is composed of the following officers whose term shall be five years from the date of their election by the general membership. They can re-elected. They may also be removed if found guilty of misconduct or mismanagement voted in by 2/3 of the membership.

The first set of officers, however, will be elected by the chartered (founding) members of the organization as stated in the section on Membership.

Meetings of the Board may be called any time by the Chairman/President, and providing further that there shall be a general membership meeting once a year in summer (June, July or August) in an appropriate location and venue.

***Chairman of the Board and President*** – Presides at meetings **en banc** or via Internet, or teleconferences. Finalizes agendas. Acts as chief executive officer of the corporation. Monitors progress of programs and reports to the Board. Assigns committee members for specific duties in various projects.

***Vice President*** – Assists the President in various undertakings. In the absence of the President, the Vice President assumes the role. Performs various assignments asked by the President.

***Secretary-Treasurer*** – Working closely with the President, the Secretary-Treasurer prepares agenda for meetings, sends out notices, and attends to correspondence and keeps records. The Secretary-Treasurer receives monies of the corporation, disburses and handles monetary transactions, and reports to the President and the Board.

***Auditor*** – Audits and reviews collections, disbursements and financial transactions. Submits the year-end audit report to the Chairman/President and the Board.

***Membership Director*** – Develops programs to attract members, maintains roster, and updates registry.

***Public Relations Director*** - Develops and maintains the program for information dissemination and communications with the public.

***Regional Program Directors*** – These are Directors selected from various geographical areas of the USA, one each from Pacific NW/Alaska; Southern California; Northern California; Midwest; and East USA; and other areas to be named later, to promulgate and attain the objectives of the organization in their respective regions.

## DECISION MAKING

As far as possible, a consensus model of decision-making shall reflect those of the meetings of the Board of Directors. Issues will be thoroughly discussed and all objections satisfied until a decision is reached.

In its strictest sense, if consensus cannot be reached, then there will be votation among the Board Members.

## CRITERIA FOR PRIORITIZING AND PLANNING OF PROJECTS

The following criteria will be used to prioritize and plan for programs and projects.

In support of organizational goals, the proposed program or project should clearly state WHAT are to be done and WHEN. The proposal should include time frame and performance measures, e.g., how many will be served, how much money is involved, timely delivery, risks, and other factors. The description will enumerate the steps to be taken and their implications to other projects.

An EVALUATION and rating of various approaches for the program/project will be thoroughly discussed.

The process will enable the Board of Directors and other observers to determine the relevance and implications of the projects to the avowed objectives and purposes of the organization.

The proponent of the project should answer the following questions:

1. Level of support
  - a. What is the level of commitment for the project?
  - b. Who are the advocates?
  - c. Is support strong or weak?
2. Goals
  - a. Is the project consistent with the purposes of the Foundation?
  - b. In what ways does the project enhance or expand the Foundation's purposes and objectives?
  - c. Are there conflicts with the goals of the Foundation?
3. Benefits
  - a. What is the impact of the project on members and recipients?
  - b. What benefits are demonstrated by this project?

- c. What negative impact would the project have on the Foundation?
4. Human Resources
  - a. How will the project be staffed?
  - b. Is there staffing already in place?
  - c. What is the level of the commitment of the Board to provide guidance and time to the project?
  - d. What type of support is needed in terms of training and seminars for staff?
  - e. Will other members be needed to staff the project?
5. Finance
  - a. What are the costs involved in investment, and in net income that is reverted back to the Foundation?
  - b. What are the safeguards to reduce the risks of financial loss on the project?
6. Legal
  - a. How does the project affect the Foundation's non-profit status?
  - b. Is there need for insurance to reduce liability?
7. Future viability
  - a. What long-term impact will the project have on the Foundation's role in the community?
  - b. In what ways will the project affect the image of the organization, inside its own membership and in the community at large?

## CHARITABLE CONTRIBUTIONS POLICY

The PBA Legends USA Foundation shall make donations to charitable, educational, athletic and community service organizations, and individuals, that reflect the interests of membership in aiding such groups, and enhancing the quality of life of people in the community.

### *Procedure*

1. The Foundation budget shall include a designated fund for charitable contributions.
2. The Board of Directors shall review requests for charitable contributions and shall approve the same.
3. The criteria for Board approval include:

- a. Satisfactory evidence of the credentials and identity of organizations and individuals to prove real need for such contribution.
  - b. Overall consistency with the Board's policy on charitable contributions.
4. Members who propose charitable contributions for certain organizations or groups, events, or individuals shall submit such proposal to the Board, through the President, specifying the following:
- c. The need or purpose, and justification.
  - d. The identity of the persons, organizations, or groups.
  - e. The credentials of the proposed recipient(s).
  - f. The names of other Foundation members supporting the proposal.

The Board will evaluate the proposal and may approve or disapprove it. The Board will specify the amount for approved contributions.

## STUDENT SCHOLARSHIP POLICY

PBA Legends USA Foundation will award scholarship grants to deserving students from the poor sector of society, regardless of race, sex, physical disability and religious beliefs. It may also support scholarship programs for the poorest of the poor in other countries that the Board of Directors may deem deserving of assistance.

The recipient organizations for scholarship grants in other countries should have charitable and educational mandate and characteristics similar to 501c3 organizations in the USA.

### *Procedure*

1. The Foundation budget shall include scholarship funds.
2. The Board of Directors will determine the cost that will be allocated for each scholarship grant depending upon actual needs.
3. The Chairman/President will appoint a standing scholarship committee whose responsibilities include:
  - a. Send application forms to the principals/counselors of targeted schools, and to appropriate university officials regarding the scholarship program.
  - b. Contact the school principals/counselors, and university officials to ensure that the availability of scholarship grants and deadlines have been publicized.

- c. Use a well-crafted Evaluation Form to identify scholarship recipients.
- d. Submit its recommendations to the President who shall review the list for final approval of the Board.
- e. Send notification letters to the principals/counselors, university officials, and applicants informing them of the results.
- f. If possible, schedule a modest awards reception (lunch or dinner) inviting the recipients and their parents.
- g. Send scholarship checks to the school or university of the recipients upon verification of their enrolment.
- h. Ask for reports from scholarship grantees on the progress of their studies, and possible renewal of their grants.
- i. Submit comprehensive report to the President regarding the progress of schooling of the present and past grantees.

## FUNDRAISING METHODS AND STRATEGIES

### **Goal-Setting**

Annual goals and multiyear development objectives and activities shall be established by the Board, chaired by the President. Target goals will be based on prior years' experience, established priorities, new initiatives, and timelines.

### **Annual Giving Activities**

The Board shall coordinate the methods and strategies to solicit contributions from members, donors and supporters of the Foundation. A variety of solicitation activities will be resorted to including benefit events particularly sports, arts and cultural programs; media, personal solicitations, direct mail and others.

### **Benefit Events**

Each special and benefit event shall be approved in advance by the Board, based on the following criteria:

1. Appropriate fit to the programs and calendar of activities of the Foundation.
2. Availability of volunteer staff.
3. A budget reflecting income and expense items, showing a target net income shall be prepared by an ad hoc committee assigned for a particular event.

4. The designated ad hoc committee shall manage each approved event project.

### **Business, Corporation, and Foundation Relations**

Direct contact with any business, corporation, and other foundations for any purpose shall only be with the prior approval of the Board, through the Chairman/President.

### **Fundraising for Special Projects**

Fundraising for special projects may be developed to meet urgent priorities or to take advantage of unusual opportunities offered by donors that correspond with Foundation objectives and targets. The Board shall approve each fundraising for special projects based on the following criteria:

1. Appropriate fit to the goals and objectives and calendar of activities.
2. Availability of volunteer staff for the special project.
3. Appropriate budget reflecting income and expense items showing target net income.

### **Multiyear and Capital Campaigns**

The Board of Directors may direct that a major fundraising effort of a multiyear nature be conducted to support strategic medium and long-range plans of the Foundation. Such campaigns will be approved by the Board of Directors considering a thorough analysis of program, leadership and volunteer support, gift potentials, internal capabilities of the Foundation, time and expense required, and other related matters.

## **FINANCIAL TRANSACTIONS AND DISBURSEMENTS POLICY**

All items of expenses and expenditures greater than Two hundred dollars (\$200) shall be approved by the Board of Directors. All expenses and expenditures as well as any outlay of funds shall, at all times, be accounted for and supported by receipts and/or other evidences of expenditures.

No officer or member of the Board of Directors shall be interested, directly or indirectly, in any financial transactions with the organization. This is unless the relationship of such officer or member of the Board with any individual or entity conducting such transaction shall have been first disclosed to the Board of Directors, and that such a transaction shall, in any case, redound to the benefit of the organization.

## **GIFT PROCESSING AND ACKNOWLEDGEMENT PROCEDURES**

### **Checks and Cash**

All gifts in the form of checks, cash or credit cards received by the organization shall be delivered to the Secretary-Treasurer preferably on the day they are received.

### **Gifts in Kind**

Gifts of material or products may be accepted particularly when the form of the gift can be used immediately by the organization.

### **Member Gifts and Payroll Deduction**

Members may make gifts at any time and may use payroll deductions to transfer their funds. Arrangements for the amount of gift, frequency of deductions, and date when deductions are to begin and conclude are arranged by the members. The members concerned shall be responsible for instructing their payroll office of such details in writing.

### **Official Acknowledgement**

All gifts, regardless of value, form, or designated use, shall be acknowledged by this organization with official correspondence. Acknowledgement represents to the donor the organization's acceptance of the gift along with its restrictions, and serves as a receipt and may be used as evidence to certify a possible tax-deductible item.

### **Donor Records**

The organization shall retain all correspondence regarding contributions, gift records, cumulative gift histories, and other information on donors' activity.

### **Public Requests for Information**

Any request in writing, asking for copies of public documents so defined by law, such as reports submitted to IRS and local authorities, shall be complied with as the laws requires and under such conditions that shall not obstruct the orderly operation of the organization.

## **APPROVAL, REVIEWS AND AMENDMENTS**

### **By Authority of the Board of Directors**

This Manual is approved and authorized by the Board of Directors of PBA Legends USA Foundation as a guide to all of its transactions as well as a Code of Ethical conduct and behavior of all members. It is designed to provide the organization guidance and direction in all areas of activities and program development. Its contents shall be observed by those accepting appointment to voluntary and staff positions of the organization.

### **Periodic Review**

A review of this Manual shall be conducted from time to time as necessary, under the leadership of the Chairman of the Board/President, and the results reported to the Board of Directors and to the membership. The purpose of the review is to maintain an accurate relationship between the current practices of operating programs and the contents of this Manual, as well as to comply with all pertinent laws.

### **Process of Amendment**

The Board of Directors shall approve changes to this Manual. Proposals for amendment may be submitted in writing, at any time, by any member who shall request at least two members of the Board of Directors prior reviews before submission to the Chairman/President.

APPROVED BY THE BOARD OF DIRECTORS on August 17, 2007:

Certified Correct:

A handwritten signature in black ink, appearing to read "Rufino S. Ignacio". The signature is written in a cursive style and is positioned to the right of a small, light-colored rectangular stamp.

Rufino S. Ignacio  
Secretary/Treasurer