

BYLAWS OF
BCHC EDUCATION FUND INC.

A CALIFORNIA PUBLIC BENEFIT CORPORATION

ARTICLE 1
OFFICES

SECTION 1. PRINCIPLE OFFICE

The principle office of the corporation for the purpose of the transaction of its business is located in Kern County, California. The mailing address for the corporation is “BCHC Education Fund, Inc., 16347 Stephanie Rd, Bakersfield, CA 93314-9669. The physical office of the corporation, for the purposes as defined in Article 7 of the bylaws, shall be the physical address of the Secretary/Treasurer of the corporation.

SECTION 2. CHANGE OF ADDRESS

The county of the corporation’s principle office can be changed only by amendment of these bylaws.

SECTION 3. OTHER OFFICES

The corporation may also have offices at such other places, within or without the state of California, where it is qualified to do business, as its business may require and as the board of directors may, from time to time, designate.

ARTICLE 2
PURPOSES

SECTION 1. NONPROFIT PURPOSES

The corporation is organized exclusively for one or more of the purposes as specified in Section 501(c) (3) of the Internal Revenue Code.

SECTION 2. OBJECTIVES AND PURPOSES

The primary objectives and purposes of the corporation shall be to educate people on how to utilize the principles of Gentle Use and Leave No Trace for preserving and improving the backcountry and wilderness areas of California; to promote educational programs that benefit stock users; and to promote cooperative interaction with other user groups regarding safety, care, and the protection of our backcountry resources. The corporation will provide financial support for qualified programs that meet the corporation’s specific objectives and purposes.

SECTION 3. IRREVOCABLE DEDICATION OF ASSETS

This corporation's assets are irrevocably dedicated to public benefit purposes. No part of net earnings, properties or assets of the corporation, on dissolution or otherwise, shall inure to the benefit of any private person or individual, or to any director or officer of the corporation. On liquidation or dissolution, all properties and assets remaining after payment or provision for payment, of all debts and liabilities of the corporation shall be distributed to a non-profit fund, foundation or corporation that is organized and operated exclusively for charitable purpose and that has established its exempt status under Internal Revenue Service Code 501(c)(3).

ARTICLE 3 DIRECTORS

SECTION 1. NUMBER

The corporation shall have nine (9) directors and collectively they shall be known as the board of directors. The number may be changed by amendment of this bylaw, or by repeal of this bylaw and adoption of a new bylaw, as provided in these bylaws. The directors shall be the President, Secretary and Treasurer of the Backcountry Horsemen of California (hereinafter referred to as BCHC), the Vice President of Education of BCHC, the Vice President of Public Lands BCHC, the Vice President of Youth BCHC, 1st Vice President of BCHC, 2nd Vice President of BCHC and the Vice President of Membership. They shall serve as directors so long as they serve in these capacities for BCHC. The corporation has no members.

SECTION 2. POWERS

Subject to the provisions of the California Nonprofit Corporation law and any limitations in the articles of incorporation and bylaws relating to action required or permitted to be taken or approved by the members, if any, of this corporation, the activities and affairs of this corporation shall be conducted and all corporate powers shall be exercised by or under the direction of the board of directors.

CONFLICT OF INTEREST POLICY

Any member of an appointed committee or a member of the Board of Directors of BCHC Education Fund Inc will not participate in any action where there is a conflict of interest. These members will make their conflict known to the President of the Board/Committee and excuse themselves from serving. Should the President of the Board or Committee become aware of a conflict of interest s/he will excuse the member and document this action in the minutes.

SECTION 3. DUTIES

It shall be the duty of the directors to:

- (a) Perform any and all duties imposed on them collectively or individually by law, by the articles of incorporation of the corporation, or by these bylaws;
- (b) Appoint and remove, employ and discharge, and, except as otherwise provided in these bylaws, prescribe the duties and fix the compensation, if any, of all agents, and employees of the corporation;
- (c) Supervise all officers, agents, and employees of the corporation to assure that their duties are performed properly;
- (d) Meet at such times and places as required by these bylaws;
- (e) Register their addresses, both, postal and email, with the secretary of the corporation and notices of meetings mailed or emailed to that such addresses shall be valid notices thereof.

SECTION 4. TERMS OF OFFICE

Each director shall hold office until his or her successor qualifies.

SECTION 5. COMPENSATION

Directors shall serve without compensation except that they shall be allowed reasonable advancement or reimbursement of expenses incurred in the performance of their regular duties as specified in their policies and rules.

SECTION 6. PLACE OF MEETINGS

Meetings shall be held at such place designated from time to time by the president or by the board of directors. Any meeting of directors, regular or special, may be held by conference telephone, electronic video screen communication, or other communications equipment.

SECTION 7. REGULAR AND ANNUAL MEETINGS

Regular and Annual meetings of directors shall be held as called by the president.

SECTION 8. SPECIAL MEETINGS

Special meetings of the board of directors may be called by the president, or by any two

directors, and such meetings shall be held at the place, within or without the state of California, designated by the person or persons calling the meeting. **EMERGENCY MEETING** An electronic emergency meeting maybe conducted by the Directors if it can be shown that 3/4ths of the directors are on-line and participating in the meeting.

SECTION 9. NOTICE OF MEETINGS

Meetings of the board shall be held upon seven (7) days' notice by first-class mail or forty-eight (48) hours' notice delivered personally or by telephone or email. If sent by mail, the notice shall be deemed to be delivered on its deposit in the mails. Such notices shall be addressed to each director at his or her address as shown on the books of the corporation.

SECTION 10. CONTENTS OF NOTICE

Notice of meetings shall specify the place, day, and hour of the meeting. The purpose of any board meeting need not be specified in the notice.

SECTION 11. WAIVER OF NOTICE AND CONSENT TO HOLDING MEETINGS

The transactions of any meeting of the board, however called and noticed or wherever held, are as valid as though the meeting had been duly held after proper call and notice, provided a quorum, as hereinafter defined, is present and provided that either before or after the meeting, each director not present signs a waiver of notice, a consent to holding the meeting, or an approval of the minutes thereof. All such waivers, consents, or approvals shall be filed with the corporate records or made a part of the minutes of the meeting.

SECTION 12. QUORUM FOR MEETINGS

A quorum shall consist of a minimum of 6 directors. Except as otherwise provided in these bylaws or in the articles of incorporation of this corporation, or by law, no business shall be considered by the board at any meeting at which a quorum is not present.

SECTION 13. MAJORITY ACTION AS BOARD ACTION

Every act or decision done or made by a majority of the directors present at a meeting duly held at which a quorum is present is the act of the board of directors.

SECTION 14. CONDUCT OF MEETINGS

Meetings of the board of directors shall be presided over by the president of the corporation or, in his or her absence, by a chairperson chosen by a majority of the directors present at the meeting. The secretary of the corporation, as defined herein, shall act as secretary of all meetings of the board, provided that, in his or her absence, the presiding officer shall appoint another person to act as secretary of the meeting.

Meetings shall be governed by Robert's Rules of Order Newly Revised; as such rules may be revised from time to time, insofar as such rules are not inconsistent with or in conflict with these bylaws, with the articles of this corporation, or with provisions of law.

SECTION 15. ACTION BY UNANIMOUS WRITTEN CONSENT WITHOUT MEETING

Any action required or permitted to be taken by the board of directors under any provision of law may be taken without a meeting, if all members of the board shall individually or collectively consent in writing to such action. Such written consent or consents shall be filed with the minutes of the proceedings of the board. Such action by written consent shall have the same force and effect as the unanimous vote of the directors. Any certificate or other document filed under any provision of law which relates to action so taken shall state that the action was taken by unanimous written consent of the board of directors without a meeting and that the bylaws of this corporation authorize the directors to so act and such statement shall be prima facie evidence of such authority.

SECTION 16. VACANCIES

Vacancies on the board of directors shall exist (1) on the death, resignation, or removal of any director, and (2) whenever the number of authorized directors is increased.

Any vacancies on the board will be filled upon the selection of the BCHC officer who is designated herein to hold that position. If for any reason a vacancy exists because the BCHC officer cannot serve, it shall be filled by and from the BCHC Executive Committee, and the person shall serve until the BCHC officer designated in Article 3 Section 1 above fills the vacancy.

SECTION 17. NONLIABILITY OF DIRECTORS

The directors shall not be personally liable for the debts, liabilities, or other obligations of the corporation.

SECTION 18. INDEMNIFICATION BY CORPORATION OF DIRECTORS, OFFICERS, EMPLOYEES, AND OTHER AGENTS

The directors and officers of the corporation shall be indemnified by the corporation to the fullest extent permissible under the laws of this state.

SECTION 19. INSURANCE FOR CORPORATE AGENTS

The board of directors may adopt a resolution authorizing the purchase and maintenance of insurance on behalf of any agent of the corporation (including a director, officer, employee, or other agent of the corporation) against any liability as authorized by law.

ARTICLE 4 OFFICERS

SECTION 1. NUMBER OF OFFICERS

The officers of the corporation shall be a president, a secretary, and a chief financial officer who shall be designated the treasurer. The president of the BCHC shall serve as president of the corporation, the treasurer of the BCHC shall serve as chief financial officer of the corporation. The 1st and 2nd VPs of BCHC, the Secretary of BCHC, BCHC's VP of Education BCHC's VP of Public Lands, VP of Membership and VP of Youth shall also be directors. The corporation may also have, as determined by the board of directors, any other officers. Any number of offices may be held by the same person except that neither the secretary nor the treasurer may serve as the president of the board.

SECTION 2. QUALIFICATION AND TERM OF OFFICE

An officer shall hold office until he or she resigns or is removed or is otherwise disqualified to serve, or until his or her successor shall be qualified, whichever occurs first.

SECTION 3. SUBORDINATE OFFICERS

The board of directors may appoint such other officers or agents as it may deem desirable, and such officers shall serve such terms, have such authority, and perform such duties as may be prescribed from time to time by the board of directors.

The BCHC Saw Coordinator and the two BCHC Safety Officers will be under the leadership of the Directors as non-voting members of the Board.

SECTION 4. REMOVAL AND RESIGNATION

Any officer may resign at any time by giving written notice to the board of directors or to the president or secretary of the corporation. Any such resignation shall take effect at the date of receipt of such notice or at any later date specified therein, and, unless otherwise specified therein, the acceptance of such resignation shall not be necessary to make it effective.

SECTION 5. VACANCIES

Any vacancy caused by the death, resignation, removal, disqualification, or otherwise, of any officer shall be filled by the board of directors from among the members of the Executive Committee of the BCHC until such time as a replacement from BCHC becomes qualified to serve.

SECTION 6. DUTIES OF PRESIDENT

The president shall be the chief executive officer of the corporation and shall, subject to the control of the board of directors, supervise and control the affairs of the corporation and the activities of the officers. He or she shall perform all duties incident to his or her office and such other duties as may be required by law, by the articles of incorporation of this corporation, or by these bylaws, or which may be prescribed from time to time by the board of directors. He or she shall preside at all meetings of the board of directors. Except as otherwise expressly provided by law, by the articles of incorporation, or by these bylaws, he or she shall, in the name of the corporation, execute such deeds, mortgages, bonds, contracts, checks, or other instruments which may from time to time be authorized by the board of directors.

SECTION 7. DUTIES OF SECRETARY

The secretary shall:

Certify and keep at the physical location of the office of the corporation the original or a copy of these bylaws as amended or otherwise altered to date.

Keep at the physical location of the office of the corporation or at such other place as the board may determine, a book of minutes of all meetings of the directors, and, if applicable, meetings of committees of directors recording therein the time and place of holding, whether regular or special, how called, how notice thereof was given, the names of those present or represented at the meeting, and the proceedings thereof.

See that all notices are duly given in accordance with the provisions of these by laws or as required by law.

Be custodian of the records e execution of which on behalf of the corporation is authorized by law or these bylaws.

Exhibit at all reasonable times to any director of the corporation, or to his or her agent or attorney, on request therefore, the bylaws and the minutes of the proceedings of the directors of the corporation.

Provide anonymous applications for grants to the Grants Committee. Assign an identifying number to a grant application (Attached Form 1), strip off all unit identifiers from the application and send to the Grants Committee this anonymous document. Insert restricted funds information as appropriate on Attached Form 2 prior to sending to the Grants Committee. S/he will also include information to the grants committee as to lines 7, 8, 9 and 10 of Attached Form 2 as applicable. Receive back from the Grants Committee their recommendations, reassign unit identifiers to the application and provide this to the President so that s/he may announce to the unit their funding.

In general, perform all duties incident to the office of secretary and such other duties as may be required by law, by the articles of incorporation of this corporation, or by these bylaws, or which may be assigned to him or her from time to time by the board of directors.

SECTION 9. DUTIES OF TREASURER

Subject to the provisions of these bylaws relating to the “Execution of Instruments, Deposits, and Funds,” the treasurer shall:

Have charge and custody of, and be responsible for, all funds and securities of the corporation, and deposit all such funds in the name of the corporation in such banks, trust companies, or other depositories as shall be selected by the board of directors.

Receive, and give receipt for, monies due and payable to the corporation from any source whatsoever.

Disburse, or cause to be disbursed, the funds of the corporation as may be directed by the board of directors, taking proper vouchers for such disbursements.

Keep and maintain adequate and correct accounts of the corporation’s properties and business transactions, including accounts of its assets, liabilities, receipts, disbursements, gains, and losses.

Exhibit at all reasonable times the books of account and financial records to any director of the corporation, or to his or her agent or attorney, on request therefore.

Propose and receive Board approval prior to investing the Fund’s assets in interest bearing or growth accounts. Ensure adequate diversification of the fund’s assets in order to provide as much security of principle as practical while still achieving adequate financial growth.

Render to the president and directors, whenever requested, an account of any or all of his or her transactions as treasurer and of the financial condition of the corporation.

Prepare, or cause to be prepared, and certify, or cause to be certified, the financial statements to be included in any required reports.

In general, perform all duties incident to the office of treasurer and such other duties as may be required by law, by the articles of incorporation of the corporation, or these bylaws, or which may be assigned to him or her from time to time by the board of directors.

SECTION 10. DUTIES OF THE SAW COORDIANTOR

The Position of BCHC Saw program Manager/ BCHC Saw Coordinator appointed by BCHC President, for a two-year term. At the end of the two years should the C3 Board feel his/her services should continue then he/she will be extended for an additional two years. This position is a non-voting member of the C3 Board.

Jurisdiction and management of all Sawyer Instructors.

Maintains All Policies, Teaching Materials, Sawyer Documents and agreements with National Forest governing the BCHC Sawyer Program.

Job Description of BCHC Saw program Manager/ BCHC Saw Coordinator:

1. Serve as the primary contact between the National Forest Service Saw Coordinator/Region 5 Coordinator and BCHC
2. Assist Sawyer Evaluators, Sawyer Instructors, and Sawyers with the implementation and monitoring of on-the-ground saw trainings and operations.
3. Develop and maintain a cadre of Sawyers, Sawyer Evaluators, and Sawyer Instructors, as well as assisting in scheduling and coordinating training for Sawyer's.
4. Monitor and evaluate the Saw Program in accordance with FSM 2358.5.
5. Develop and deliver an annual report to BCHC C3 Ex. Board all Saw Program accomplishments, issues, concerns, and recommendations for improvement of the Saw Program.
6. Assist Instructors with processing Saw Training Applications from students, Evaluation Forms for Students and ensure that a proper location for training is defined, that is all Field Evaluation Sawyer Training is to be conducted on any Agency land under a volunteer agreement that provides Work/Comp for volunteers.
7. Control and process final Evaluations and issue Sawyer Cards
8. Maintain electronic data of Evaluation and provide records to BCHC membership.
9. Develop and Maintain all BCHC Sawyer Programs documents and power point tools.
10. Work with the BCHC Safety Officer to receive and review all reports of saw-related accidents and near misses. Reports all saw-related accidents to the BCHC C3 Ex Board and the NFS Region 5 Saw Coordinator.
11. Identify sawyers whose demonstrated skills are no longer considered adequate or who are a danger to themselves or others and recommend revocation of their National Sawyer Certification Card to the BCHC Safety Officers and the BCHC C 3 Ex Board for discipline.

SECTION 11. DUTIES OF THE SAFETY OFFICERS

The two Safety Officers will be responsible for investigating and reporting all packing and sawyer incidents. They will report to the Incident Corrective Action Committee (ICAC) and recommend corrective actions to the ICAC. They will be appointed by the President to serve a two-year term. The ICAC is comprised of the BCHC's President, 1st VP, 2nd VP, VP of

Education and the two Safety Officers. The purpose of the ICAC is to investigate each and every incident both packing and sawyer. These incidents are to be presented to the committee after initial investigation by the two Safety Officers. The ICAC will review this initial report and develop corrective actions. These corrective actions will be provided to the unit president for implementation. The report will then be rewritten to remove all identifying names/places and then sent to all unit presidents as an information report further displayed on the BCHC website and within the next BCHC newsletter if deemed appropriate. All the reports and corrective actions will be maintained by the Safety Officers. The Safety Officers will be very familiar with the Forest SERVICE'S FSH 6709.11 HEALTH AND SAFETY CODE HANDBOOK.

In addition to the above duties the safety officers will review all safety documents of BCHC annually updating them as necessary.

SECTION 12. DUTIES OF THE VICE PRESIDENT of YOUTH

The VP of Youth can be a co-chair position. He/She/They will chair the Youth Education Committee and shall have such other power and perform such other duties as may be prescribed by law or as may be prescribed by the BCHC, Inc. Directors. Maintain and keep current the BCHC Youth Activities Policy. (See Policy #1018-2a for more information)

SECTION 13 DUTIES OF THE CUSTODIAN OF RECORDS (position appointed by President – 4 year term)

Provide for confidential application of background checks and fingerprinting for BCHC members involved with youth events. If a member meets the requirements as set out in BCHC Policy #1019-2 the Custodian of Records will issue a BCHC Youth Volunteer Program Card. If the requirements are not met, a certified letter stating so will be mailed to the applicant. (See Policy #1019-2 for more information). The Custodian of Records must obtain a Youth Volunteer Program Card and comply with all Department of Justice regulations for approval.

ARTICLE 5
COMMITTEES

SECTION 1. COMMITTEES

The corporation shall have such committees as may from time to time be designated by resolution of the board of directors. Such committees may consist of persons who are not also members of the board. These committees shall act in an advisory capacity only to the board.

SECTION 2. MEETINGS AND ACTION OF COMMITTEES

Meetings and action of committees shall be governed by, noticed, held, and taken in accordance with the provisions of these bylaws concerning meetings of the board of directors. The board of directors may adopt rules and regulations pertaining to the conduct of meetings of committees to the extent that such rules and regulations are not inconsistent with the provisions of these bylaws.

ARTICLE 6
EXECUTION OF INSTRUMENTS, DEPOSITS, AND FUNDS

SECTION 1. EXECUTION OF INSTRUMENTS

The board of directors, except as otherwise provided in these bylaws, may by resolution authorize any officer or agent of the corporation to enter into any contract or execute and deliver any instrument in the name of and on behalf of the corporation, and such authority may be general or confined to specific instances. Unless so authorized, no officer, agent, or employee shall have any power or authority to bind the corporation by any contract or engagement or to pledge its credit or to render it liable monetarily for purpose or in any amount.

SECTION 2. CHECKS AND NOTES

Except as otherwise specifically determined by resolution of the board of directors, or as otherwise required by law, checks, drafts, promissory notes, orders for the payment of money, and other evidence of indebtedness of the corporation shall be signed by the treasurer and countersigned by the president of the corporation.

SECTION 3. DEPOSITS

All funds of the corporation shall be deposited from time to time to the credit of the corporation in such banks, trust companies, or other depositories as the board of directors may select. It is the policy of the Board of Directors to keep the majority of its assets invested in interest bearing or growth accounts in effect to live off the interest from these accounts. All initial investments and subsequent investments will not be executed until a Board meeting is conducted and a majority vote is acquired. It is the duty of the Treasurer of BCHC Education Fund Inc to propose these instruments and for the Board to approve their acquisition.

SECTION 4. GIFTS or DONATIONS

The board of directors may accept on behalf of the corporation any contribution, gift, bequest, or devise for the purposes of this corporation.

Companies may donate to BCHC Education Fund as a charitable donation in cash, services or goods. Should the company donate goods or services the company is to assign the value of these donated goods/services.

The unit obtaining the donation will notify the Education Fund President and Education Fund Treasurer who will in turn supply the charitable donation receipt to the company.

The responsible unit will forward cash donations to the Education Fund Treasurer for deposit in their 501C3 account as restricted or unrestricted funds as dictated by the donor. If the donation is goods the unit should take in and secure the donation ensuring the reporting the value of the goods. Services will be reported at their assigned value to the Treasurer.

SECTION 5. GRANTS

The purpose of this corporation is to receive and grant charitable monies to be used in educating BCHC membership and the general public about Gentle Use and Leave No Trace principles as they apply to stock use in the backcountry.

(a), Grants Committee

Pursuant to Article 5, Section 1, of the BCHC Education Fund, Inc Bylaws, the Board of Directors of the corporation shall establish a committee to accept, evaluate, and recommend funding of grant applications for qualified projects. Applicants will fill out Attached Form 1 of these Bylaws and submit it electronically to the Education Fund Secretary no later than the 1st of March and/or the 1st of September of the year of the grant application. The Education Secretary will assign a BCHC Education Fund identifier to the form and strip off all other unit identifying words. The Secretary/Treasurer will fill in the applicable sections of attached form 2 prior to sending to the grants committee. In addition, s/he will provide to the grants committee pertinent information concerning lines 7-10 of attached form 2. The Grants Committee will then be forwarded this anonymous document for evaluation using Attached Form 2 to score the project.

The Grants Committee shall function in accordance with Article 2, Section 2, of the BCHC Education Fund, Inc Bylaws. The Grants Committee shall consist of 5 members appointed by the Education Fund Board of Directors. It is recommended that the committee should be comprised of the following: The committee members shall be BCHC members in good standing and shall be selected from the BCHC Education Steering Committee (1 member), the Wilderness Riders, past Education Steering Committee members, and present Masters of Leave No Trace. The Grants Committee shall select its own chairperson. The Grants Committee shall meet from time to time, as need dictates, to conduct its business in assessing applications and making

recommendations to the Board for funding. The Grants Committee will forward to the President and the Secretary their ranked recommendations for funding of all received applications. The Grants Committee will send all of their members' scoring rubrics (Attached Form 2), the anonymous proposal (modified Attached form 1), the proposal's budget information (Attached Form 3) and their report to the President. They may recommend complete funding, partial funding or no funding. If there is partial or no funding they will provide a critique of the project as to why they felt it was not adequate for complete funding. The Grants Committee will also serve as the review committee of project monitoring or Completion Reports.

(b), "Grants Applicants"

Grant applicants shall be units of BCHC in good standing. Applicants will submit a completed grant application, Attached Form 1 and Attached Form 3 to the BCHC Education Fund, Inc, Secretary. Applications must be submitted no later than the 1st of March and /or 1st of September of the year of the grant application and must be signed by the unit president. Incomplete or unsigned applications will be returned for completion and may delay funding.

(c), "Restricted Funds"

Any monies donated to the BCHC Education Fund, Inc with the donor's specification that those funds be designated solely for the use of a particular unit(s) of BCHC will be restricted funds and accounted as such by the Treasurer. The units will use the same application process for accessing these funds as they would for un-restricted. Restricted funds not utilized within 5 years by the designated unit will be rolled into the un-restricted fund, at the discretion of the Board, and then be available for all applicants. In the event a unit of BCHC ceases to exist, any restricted funds held in that unit's name will be rolled into the un-restricted fund. Units submitting a qualifying application shall first utilize, if available, restricted funds held in their name. In the event those funds are insufficient for the project the remainder needed will come from the un-restricted fund, if available.

Persons or entities donating funds to the BCHC Education Fund, Inc, desiring to have their donation designated to a particular BCHC unit(s) shall have no say in the use or dispersement of the funds other than that they are to be for a specific unit to access.

(d), "Unrestricted Funds"

Any monies donated to the BCHC Education Fund, Inc which are not specifically designated for the sole use of a particular unit(s) will be designated as unrestricted funds and will be available for all units to access through qualified grant applications.

(e), "Project Qualifications"

Pursuant to Article 2, Section 2, "Objectives and Purposes" of these bylaws, all qualifying projects must include components that include education in Gentle Use or Leave No Trace. Work projects will qualify when the grant application and subsequent reporting confirm that the educational component was presented at some point during the course of the project.

It is specifically noted that ongoing education of BCHC membership must be accomplished in order to successfully have educational knowledge and material to offer the public. To this end, all participation by BCHC members in BCHC Rendezvous, Leadership Training, and the BCHC Fall State Board meeting shall qualify as educational projects. These education projects are considered qualification efforts and as such are not eligible for grant monies. Individuals can report these activities to the BCHC Education Fund, Inc. Secretary for matters of record keeping and tax reporting.

(f), “Project Monitoring/Completion Report”

The BCHC Education Fund, Inc feels strongly that it is responsible to assure, to the best of its ability, the wise and compliant use of the funds under its administration. Therefore all projects funded will be required to submit either an interim Monitoring Report (Attached Form 1), for projects that are ongoing and will span a number of years, or a Completion Report (Attached Form 1) for all projects completed. These reports will address the questions asked in the application regarding other participants; persons reached with the education information and generally explain the success of the project. These reports will be submitted to the Grants Committee and must be submitted before any future grant applications will be considered from the unit. Monitoring Reports shall be submitted every 6 months for ongoing projects. Completion Reports will also include a closing budget report (Attached Form 3) which will account for actual project expenses. In the event the project goes over budget and expends more funds than were budgeted in the application, the unit may apply for additional funds. This must be done as a separate application and will be funded at the discretion of the Board. Grant funds unused for a specific project will be returned to the fund with the Project Completion Report.

(g), “Grant Application Qualification”

Applications to the BCHC Education Fund, Inc will be reviewed by the Grants Committee for adherence to the “objectives and purposes” of the fund as outlined in Article 2, Section 2 of the bylaws. Applications deemed inconsistent with the objectives and purposes will be returned to the applicant for re-working and re-submission. The Grants Committee, at its discretion, may make suggestions to the applicant to assist them in submitting a qualified project application.

In the event an applicant disagrees with the determination of the Grants Committee as to the qualification of a project application or another disagreement arises during the application, granting, or reporting process; such disagreements shall be handled by the BCHC Education Fund, Inc Board of Directors, with any assistance they may deem necessary and valuable, and their determination shall be final.

(h), “Forms”

BCHC Education Fund, Inc will provide all necessary grant application, project monitoring, and expense reporting short forms to be used for all applications and reporting. BCHC Education Fund, Inc monies, whether restricted or unrestricted, shall be accessed and disbursed through the use of the BCHC forms.

ARTICLE 7
CORPORATE RECORDS, REPORTS, AND SEAL

SECTION 1. MAINTENANCE OF CORPORATE RECORDS

The corporation shall keep at its physical office in the state of California:

- (a) Minutes of all meetings of directors and committees of the board indicating the time and place of holding such meetings, whether regular or special, how called, the notice given, and the names of those present and the proceedings thereof;
- (b) Adequate and correct books and records of account, including accounts of its properties and business transactions and accounts of its assets, liabilities, receipts, disbursements, gains, and losses;
- (c) A copy of the corporation's articles of incorporation and bylaws as amended to date.

SECTION 2. CORPORATE SEAL

The board of directors may adopt, use, and at will alter, a corporate seal. Such seal shall be kept at the physical office of the corporation. Failure to affix the seal to corporate instruments, however, shall not affect the validity of any such instrument.

SECTION 3. DIRECTORS' INSPECTION RIGHTS

Every director shall have the absolute right at any reasonable time to inspect and copy all books, records and documents of every kind and to inspect the physical properties of the corporation.

SECTION 4. RIGHT TO COPY AND MAKE EXTRACTS

Any inspection under the provisions of this article may be made in person or by agent or attorney and the right to inspection includes the right to copy and make extracts

SECTION 5. PERIODIC REPORT

The directors shall cause any annual or periodic report required under law to be prepared and delivered to an office of this state within the time limits set by law.

ARTICLE 8
IRS 501 (C)(3) TAX EXEMPT PROVISIONS

SECTION 1. FISCAL YEAR OF THE CORPORATION

The fiscal year of the corporation shall begin on the first day of January and end on the last day of December each year.

ARTICLE 9
AMENDMENT OF BYLAWS

SECTION 1. AMENDMENT

Subject to any provisions of law applicable to the amendment of bylaws of nonprofit corporations, these bylaws, or any of them, may be altered, amended, or repealed and new bylaws adopted by approval of the board of directors.

ARTICLE 10
AMENDMENT OF ARTICLES

SECTION 1. AMENDMENT OF ARTICLES

Any amendment of the articles of incorporation may be adopted by approval of the board of directors.

SECTION 2. CERTAIN AMENDMENTS

Notwithstanding the above sections of this article, this corporation shall not amend its articles of incorporation to alter any statement which appears in the original articles of incorporation of the names and addresses of the first directors of this corporation, nor the name and address of its initial agent, except to correct an error in such statement or to delete such statement after the corporation has filed a "Statement by a Domestic Non-Profit Corporation" pursuant to Section 6210 of the California Nonprofit Corporation Law.

ARTICLE 11
PROHIBITION AGAINST SHARING CORPORATE PROFITS AND ASSETS

SECTION 1. PROHIBITION AGAINST SHARING CORPORATE PROFITS AND ASSETS

No member, director, officer, employee, or other person connected with this corporation, or any private individual, shall receive at any time any of the net earnings or pecuniary profit from the operations of the corporation, provided, however, that this provision shall not prevent payment to

any such person of reasonable compensation for services performed for the corporation in effecting any of its purposes, provided that such compensation is otherwise permitted by these bylaws and is fixed by resolution of the board of directors; and no such person or persons shall be entitled to share in the distribution of, and shall not receive, any of the corporate assets on dissolution of the corporation. All members, if any, of the corporation shall be deemed to have expressly consented and agreed that on such dissolution or winding up of the affairs of the corporation, whether voluntarily or involuntarily, the assets of the corporation, after all debts have been satisfied, shall be distributed as required by the articles of incorporation of the corporation and not otherwise.

WRITTEN CONSENT OF DIRECTIONS ADOPTING BYLAWS

We, the undersigned are all of the persons named as the initial directors in the articles of incorporation of BCHC Education Fund, Inc, a California nonprofit corporation, and pursuant to the authority granted to the directors by these bylaws to take action by unanimous written consent without a meeting, consent to, and hereby do, adopt the foregoing bylaws, consisting of 20 pages, as the bylaws of the corporation.

Dated: _____

_____, Director

_____, Director

_____, Director

_____, Director

_____, Director

CERTIFICATE

This is to certify that the foregoing is a true and correct copy of the bylaws of the corporation named in the title thereto and that, such bylaws were duly adopted by the board of directors of said corporation on the date set forth below.

Dated: _____

_____, Secretary

Attached Form 1

BACKCOUNTRY HORSEMEN OF CALIFORNIA EDUCATION FUND INC APPLICATION FORM

EDUCATIONAL PROJECT

A. Name of Unit: _____

B. Funding Year(s): _____

C. Project Name: _____

D. Project Submitted By: _____ E. Date: _____

F. Contact Phone Number: _____ G. Contact Email: _____

H. Project Location:

i. National Forest _____

ii. BLM Resource Area _____

iii. National Park _____

iv. State Park _____

v. Other (_____)

Project Number (Assigned by BCHC Education Fund Inc Secretary): _____

1. Project Goals and Objectives: (See Bylaws Article 2 Section 2)

2. Project Description (If Interim or Completion report so state):

3. Types of Participants Involved (general public, clubs, agencies, youth, adult, etc):

4. Will the Project Involve the Use of Stock?: ___yes ___no

5. How Does the Proposed Project Meet the Educational Goals of BCHC?:

6. Project Type: ___Clinic ___Seminar ___Field ___Display ___Workshop
___ Publication ___Trail work___Other (_____)

7. Identify What the Project Will Accomplish:

8. Estimated Project Start Date: _____ **Completion Date:** _____

9. Will the Project Involve Other Groups / Organizations? (identify):

10. If So, How Will the Project Build Cooperative Relationships Between These Groups / Organizations and BCHC?:

11. How Is This Project in the Best Interest of the Public, Groups / Organizations, and BCHC?

Describe the Benefits:

12. How Does this Project Benefit the Public Agencies and Public Lands?

Describe the Benefits:

13. Anticipated Project Costs? (Attach budget see Attached Form 3): \$ _____

(Budget to show total project cost, all other sources of funding, and amount of grant monies requested)

14. Identify Other Sources of Funding (include in budget):

15. Amount of Grant Monies Requested?: \$ _____

16. Project Completion Report (due by end of project year and required before future project funding will be considered):

A. Identify Who Will Complete the Report: Name: _____

i. Phone _____

ii. Email _____

B. Unused Funding: Any grant funding remaining at the completion of the project will be returned to the BCHC Education Grant Fund by the end of the project year. These monies are to be identified in the Project Completion Report.

C. Signature/Date of Person Making Application x _____ x _____

D. Signature/Date of Grant Committee Chairperson x _____ x _____

Attached Form 2

BCHC Education Fund Assessment Rubric

Project Description

Date of assessment			
Objectives		Max Score	Earned Score
1	Educate on how to use Gentle Use/LNT	15	
2	Preserve & improve the backcountry	15	
3	Promote educational programs that benefit stock users	15	
4	Promote cooperative interaction with other user groups	15	

Other			
5	Number of people projected to be educated	5	
6	Sufficient Restricted Funds: yes = max score (Bylaws Article 6 Section 5C)	5	
7	Projects in-progress monitoring reporting	5	
8	Previous completion of project & reporting	10	
9	On-going education of unit membership	10	
10	On-going attendance of State meetings by unit officers	5	
Totals		100	0
Per Cent of Max		0%	

Attached Form 3

BUDGET Form:

1. Project Description

2. Project Goals and Objectives (Indicate which budgeted items support objectives):

3. Estimated Project Start Date: _____ Completion Date: _____

a: If this is an interim report indicate spending rates of budgeted items

4. Grant: \$ _____

5. Other Funding Source \$ _____

6. Total Funds \$ _____

Cost Items: (Indicate % of Budget)

Budget

BACKCOUNTRY HORSEMEN OF CALIFORNIA EDUCATION FUND INC APPLICATION FORM

EDUCATIONAL PROJECT FOR UNIT SPECIFIC FUNDS

A. Name of Unit: _____

B. Funding Year(s): _____

C. Project Name: _____

D. Project Submitted By: _____ E. Date: _____

F. Contact Phone Number: _____ G. Contact Email: _____

H. Project Location:

i. National Forest _____

ii. BLM Resource Area _____

iii. National Park _____

iv. State Park _____

v. Other (_____)

Project Number (Assigned by BCHC Education Fund Inc Secretary): _____

1. Project Goals and Objectives: (See Bylaws Article 2 Section 2)

2. Project Description (If Interim or Completion report so state):

3. Types of Participants Involved (general public, clubs, agencies, youth, adult, etc):

4. Will the Project Involve the Use of Stock?: ___yes ___no

5. How Does the Proposed Project Meet the Educational Goals of BCHC?:

6. Project Type: ___ Clinic ___ Seminar ___ Field ___ Display ___ Workshop
___ Publication ___ Trail work ___ Other (_____)

7. Identify What the Project Will Accomplish:

8. Estimated Project Start Date: _____ Completion Date: _____

9. Will the Project Involve Other Groups / Organizations? (identify):

10. If So, How Will the Project Build Cooperative Relationships Between These Groups / Organizations and BCHC?:

11. How Is This Project in the Best Interest of the Public, Groups / Organizations, and BCHC?

Describe the Benefits:

12. How Does this Project Benefit the Public Agencies and Public Lands?

Describe the Benefits:

13. Anticipated Project Costs \$ _____

14. Identify Other Sources of Funding: _____

15. Amount of Ed Fund Monies Requested?: \$ _____

16. Project Completion Report (due by end of project year and required before future project funding will be considered):

A. Identify Who Will Complete the Report: Name: _____

i. Phone _____

ii. Email _____

B. Unused Funding: Any Ed Fund money remaining at the completion of the project should be returned to BCHC Treasurer which will be returned to your unit's BCHC Education Fund pool.

C. Signature/Date of Person Making Application x _____ x _____

D. Signature/Date of BCHC Treasurer x _____ x _____