

Forestwood Middle School Band Booster Club Bylaws

ARTICLE I: Name

The Name of this organization is the Forestwood Middle School Band Booster club, Flower Mound, Texas.

ARTICLE II: Articles of Organization

The articles of organization of this Booster Club include the bylaws of such organization.

ARTICLE III: Object

The object of this Booster Club shall be for the purpose of enriching the Band Program at Forestwood Middle School.

ARTICLE IV: Basic Policies

- a. The organization shall be noncommercial, nonsectarian, and nonpartisan
- b. This organization is organized exclusively for charitable, educational, and scientific purposes, including, for such purposes, the making of distributions to organizations that qualify as except organizations under 501(c) (3) of the Internal Revenue Code, or corresponding section of any future tax code.
- c. No part of the net earnings of the organization shall inure to the benefit of, or be distributable to its members, directors, trustees, officers or other private persons except that the organization shall be authorized and empowered to pay reasonable compensation for services rendered and to make payments and distributions in furtherance of the Object set forth in Article III hereof.
- d. Notwithstanding any other provision of these articles, the organization shall not carry on any other activities not permitted to be carried on (i) by an organization exempt from federal income tax under Section 501(c)(3) of the Internal Revenue Code, or (ii) by an organization, contributions to which are deductible under Section 170 (c)(2) of the Internal Revenue Code.
- e. The organization or members in their official capacities shall not, directly or indirectly, participate or intervene (in any way, including the publishing of distributing of statements) in any political campaign on behalf of, or in opposition to, any candidate for public office; or devote more than an insubstantial part of its activities to attempting to influence legislation by propaganda or otherwise.
- f. All checks shall require two signatures. There shall be three signatures on the bank account so that no officer will sign a check to himself. No two members of the same

household shall be signers on the account. [There's a lot of financial stuff in the Dulles bylaws that aren't in ours. Do those need to be added?](#)

- g. An outside independent accountant shall be hired to conduct yearly audit, prepare tax returns, and file 990 and 1099s are required.
- h. The President or other elected official may declare this organization dissolved for lack of participation, need or situation. Upon dissolution of this organization, assets shall be distributed for one or more exempt purposes within the meaning of Section 501(c)(3) of the Internal Revenue Code, or any corresponding section of any future 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 disposed of shall be disposed of by the 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 for such purpose.

ARTICLE V: Members

- a. Membership in this Booster Club shall be open, without discrimination, to anyone who believes in and supports the Object set forth in Article III of the bylaws, and anyone who has a child in the Forestwood Band program.
- b. This Booster Club shall conduct an annual enrollment of members, but may admit persons to membership at any time.

ARTICLE VI: Officers and Their Election

Section 1. Each officer shall be a member of this Booster Club.

Section 2. Officers and their election:

- a. The officers of this Booster Club shall be a president, a secretary, and a treasurer.
- b. Officers shall be elected by ballot in the spring semester. However, if there is but one (1) nominee for an office, election for that office shall be by voice vote.
- c. An individual shall be a member of the Booster Club prior to taking office. [Do we need this requirement? For example, we have band parents who've been band parents for years, but never a member of the Booster Club.](#)
- d. Officers shall assume their official duties on July 1, beginning of the fiscal year, following their election and shall serve a term of one (1) year.
- e. No officer shall serve in the same office for more than two (2) consecutive terms. One who has served more than one-half of a term shall be credited with having served that term.

Section 3. Vacancies

- a. A vacancy occurring in any elected office shall be filled for the unexpired term by a person elected by a majority vote of the executive board, at least three (3) days notice of such election having been given.

Section 4. Reason to remove:

- a. By two-thirds ($\frac{2}{3}$) vote of the executive board an officer or chairman shall be removed from office for failure to perform duties, criminal misconduct or unethical behavior in Booster Club business.

ARTICLE VII: Duties of Officers

Section 1. The president shall:

- a. Coordinate the work of the officers of the Booster Club in order that the Object may be promoted;
- b. Confirm that a quorum is present before conducting any business at any meeting of the organization;
- c. Preside at all meetings of the organization;
- d. Be authorized to sign on bank accounts

Section 2. The secretary shall:

- a. Record the minutes of all meetings of the association;
- b. Keep an accurate record of attendance at executive board meetings;
- c. Be responsible for correspondence;
- d. Have a current copy of the bylaws;
- e. Maintain a membership list;
- f. Be authorized to sign on the bank account.

Section 3. The treasurer shall:

- a. Have custody of all the funds of the organization;
- b. Keep books of account and records including bank statements, receipts, budgets, invoices, pain receipts and canceled checks for five (5) years;
- c. Make disbursements in accordance with the budget adopted by the organization;
- d. Sign on bank accounts;
- e. Present a financial report, both written and verbal, at every meeting of the Booster Club and as requested by the executive board or the voting body;
- f. Make a full report at the annual meeting;
- g. Be responsible for the maintenance of such books of account and records as conform to the requirements of Article VI, Section 2 of these bylaws; and
- h. Present books to the accountant as requested.

Section 4. All officers shall:

- a. Attend all meetings of the association;
- b. Have a current copy of the bylaws;
- c. Perform the duties outlined in these bylaws and those assigned from time to time; and
- d. Deliver to their successors or the president all official materials within fifteen (15) days following the date at which their successors assume their duties.

ARTICLE VIII: Meetings

Section 1. This organization shall hold a minimum of two (2) meetings a year.

- a. Regular meeting of the Booster Club shall be held in the Fall Semester and in the Spring Semester, time and date to be established by executive board at its first meeting of the year. Five (5) days notice shall be given if change of date is needed.
- b. The regular meeting held in the Spring Semester shall be the election meeting.

Section 2. Special meetings of this Booster Club may be called by the president or by a majority of the executive board, at least three (3) days notice having been given.

Section 3. Ten (10) members shall constitute a quorum for the transaction of business in any meeting of this association. I propose 5 to be quorum. Odd number is best in the case of a tie. Also, there are 5 total members of the board. Are we included in the count as band directors? I'm unclear on that...

ARTICLE IX: Executive Board

Section 1. The executive board shall consist of:

- a. The officers of the association;
- b. The Executive Director
- c. Associate Band Director(s)
- d. Band Clerk (DELETE THIS)

Need to add the new offices and their duties

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Section 2. The duties of the executive board shall be to:

- a. Transact necessary business in the intervals between association meetings and such other business as may be referred to it by the association;
- b. Present annual report to the annual meeting of the association;
- c. Fill vacancies of officers and chairmen;
- d. Prepare and submit a budget for the year to the association for adoption; and approve routine bills within the limits of the budget;

- e. Hire the outside independent accountant to conduct yearly audit.

Section 3. Meetings

- a. Regular meetings of the executive board shall be held as necessary, the time to be determined by the board at its first meeting of the year.
- b. A majority of the executive board members shall constitute a quorum.
- c. Special meetings of the executive board members shall constitute a quorum.
- d. Special meetings of the executive board may be called by the president or by a majority of the members of the board, at least three (3) days notice being given.

ARTICLE X: Fiscal Year

Section 1. The fiscal year of the organization shall begin July 1 and end on the following June 30.

Section 2. The accountant's audit report shall be adopted by the organization at its annual meeting in the fall semester.

Article XI: Parliamentary Authority

The rules contained in the current edition of *Robert's Rules of Order Newly Revised* shall govern this Booster Club in all cases in which they are applicable and in which they are not in conflict with these bylaws.

ARTICLE XII: Amendments

Section 1.

- a. These bylaws may be amended at any meeting of the association, provided a quorum is present, by two thirds ($\frac{2}{3}$) vote of the members present and voting. Notice of the proposed amendment shall have been given at the previous regular meeting or thirty (30) days prior to the meeting at which the amendment is voted on.
- b. A committee may be appointed to submit a revised set of bylaws as a substitute for the existing bylaws only by a majority vote at a meeting of the association, or by a two-thirds ($\frac{2}{3}$) vote of the executive board. The procedure for action on amendments in Section 1. a. should then be followed.

Adopted Sept. 2006
Amended Sept. 2010