

1
2 **Flower Mound High School Band Booster Club**
3 **Bylaws**
4

5 **ARTICLE I: Name**
6

7 The name of this organization is the Flower Mound High School (FMHS) Band Booster Club, and is
8 associated with Flower Mound High School in Flower Mound, Texas.
9

10 **ARTICLE II: Articles of Organization**
11

12 The FMHS Band Booster Club (“Club”) shall be a nonprofit organization 501(c)(3).
13

14 ~~ARTICLE II~~ **ARTICLE III: Objectives**
15

16 A. To promote and maintain the interest of FMHS students in all phases of band and instrumental
17 music programs, percussion and color guard. Any reference hereinafter to the “FMHS Band”
18 and/or “Band” (collectively, “FMHS Band”) shall include the marching band, instrumental music
19 programs, percussion, and color guard.

20 ~~A. To promote and maintain the interest of students in the Flower Mound schools in all phases of~~
21 ~~Band and Instrumental Music programs, including Drumline and Color Guard.~~
22

23 ~~B. To give all necessary support wherever and whenever possible to the FMHS Band Directors,~~
24 ~~band directors, band, and band program in general, and to cooperate with the FMHS band directors and~~
25 ~~school administration Band and Band program in general, and to cooperate with the FMHS Band~~
26 ~~Directors and School~~

27 B. Administration in all phases of band activities.
28

29 ~~C. To develop and implement revenue-making projects to support the financial needs of the FMHS~~
30

31 C. Band while providing accountability for Club budgets, revenues and expenditures.
32

33 **ARTICLE IV: Members**
34

35 Section 1. Membership shall be available to any parent and/or guardian of a current FMHS Band
36 ~~Student~~
student wanting to participate in promoting the objectives of the Club.
37

38 ~~Alumni Students~~ students and parents/guardians of ~~Alumni Students~~ alumni students may
39 volunteer with the Booster

40 a) Club after appropriate background checks are completed. Alumni parents
41 Parents, guardians or students may NOT hold office nor be allowed to vote.
42

43 Section 2. Membership shall be made available without regard to race, color, creed or national
44 origin, nor
45 be in conflict with the provisions of the UIL.
46

47 Section 3. Persons who volunteer to assist the FMHS Band ~~or Color Guard~~ are important to the

1 success of our ~~Band and Color Guard~~ programs. LISD Board Policy requires that every volunteer
2 undergo a background check before being allowed to work on a school site. Additional
3 information is available at www.lisd.net.
4

5 **ARTICLE V: Basic Policies**

6
7 Section 1. The Club shall be noncommercial, nonsectarian and nonpartisan.

8
9 Section 2. The name of the Club and the name Flower Mound High School shall not be used to
10 endorse
11 or promote a commercial concern or in connection with any partisan interest or for any purpose not
12 appropriately related to promotion of the objectives of the Club.
13

14 Section 3. The Club shall not, directly nor indirectly, participate or intervene (in any way, including
15 the
16 publishing or distribution of statements) in any political campaign on behalf of, or in opposition to, any
17 candidate for public office.
18

19 Section 4. The Club shall not use any EIN (tax number) other than its own. The Club shall file
20 periodic
21 tax returns, as required, with the Internal Revenue Service.
22

23 Section 5. The Club shall secure and maintain a sales tax permit from the Texas
24 Comptroller's office ~~and shall display~~
25 ~~the permit in accordance with applicable law.~~ The Club shall file periodic sales tax returns as
26 required by the State.
27

28 Section 6. ~~Self-dealings~~ Self-dealings with members:
29

30 ~~a.~~ No part of the net earnings of the Club shall benefit or be distributed to its members,
31 directors,

32 a) trustees, officers or other private persons except that the Club shall be empowered to
33 reimburse authorized expenditures.
34

35 ~~b.~~ No officer or chairperson shall provide goods or services to the Club which would result
36 in a

37 b) profit to said officer or chairperson or their business unless the transaction is
38 competitive and is approved in advance by the Executive Committee.
39

40 Section 7. The Club shall prohibit voting by proxy.
41

42 Section 8. No part of the membership roster of the Club, including names, addresses and other
43 personal
44 data, shall be sold to any entity or exchanged for any services or products without the approval of the
45 majority of the general membership. Any member may have the option to opt out of the
46 release of any personal information.
47

48 Section 9. Upon the dissolution of this organization:
49

50 ~~a.~~ The debts and obligations of the Club must be adequately provided for, and the remaining

1 a) assets shall be distributed to one or more nonprofit funds, foundations or
2 organizations which have established their tax-exempt status under Section 501(c)(3)
3 of the Internal Revenue Code.

4
5 ~~b.~~ The organization shall cease and desist from the further use of any name that implies or
6 connotes

7 b) association with a Lewisville ISD school.

8
9 ~~c.~~ All proceedings necessary or desirable for the purpose of dissolving this organization
10 shall be

11 c) carried out promptly, under the supervision of the LISD sponsor or his designee.

12
13 Section 10. The Club shall keep such ~~permanent books of account and~~ records as shall be sufficient
14 to
15 establish the items of gross income, receipts and disbursements of the Club. Such ~~books of~~
16 ~~account and~~ records shall at all reasonable times be open to inspection by its members.

17
18 Section 11. Members' out of pocket expenses are eligible for reimbursement upon request and
19 approval as described in Article VII, Section 6. However, no costs or expenses relating to
20 members shall be subsidized by the Club without the express authorization of the
21 Executive Committee. Such authorization shall be noted in the Board meeting minutes.

22
23 Section 12. All contracts, agreements, and/or other engagements that bind the Club, monetarily or
24 otherwise, must be reviewed, approved and signed by the president and treasurer(s).

25 26 **ARTICLE VI: Officers and Their Election**

27
28 Section 1. Each officer must be a member of the Club.

29
30 Section 2. No two officers who are authorized check signers shall be related by blood or marriage.

31 No
32 officer shall be a signer for any checks that are payable to himself or any of his family members.

1 Section 3. Officers and their election:
2

3 ~~a.~~ The officers of this organization shall consist of a president, 1st and 2nd vice presidents of
4 a) activities, vice president(s) of concessions (maximum of two), vice president(s) of
5 merchandising (maximum of two), vice president(s) of fundraising (maximum of
6 two), a secretary, treasurer(s) (maximum of two), director of information technology,
7 and a director of communications. Collectively these ~~9~~10-13~~14~~ officers shall
8 comprise the Executive Committee.
9

10 ~~b.~~ Officer candidates shall be presented to the general membership meeting in the month of
11 b) April and elected by ballot in a general membership meeting in the month of May.
12 However, if there is but one nominee for an office, election for that office may be by
13 voice vote. Elections shall be by plurality.
14

15 ~~c.~~ Candidates for president and treasurer(s) may, at the request of the
16 c) Executive Committee, be presented and elected by the general membership at an
17 earlier date for purposes of learning the role and responsibilities for those offices to
18 which they are elected. The president-elect and treasurer-elect will assume their
19 official roles as provided below.
20

21 ~~d.~~ Officers shall be installed at the last meeting of the school year. They shall
22 d) assume their official duties following the close of the school year and shall serve a
23 term of one year or until their successors are elected.
24

25 e) ~~e.~~ An individual must be a member prior to taking office.
26

27 ~~f.~~ No officer shall serve in the same office for more than two consecutive terms. One who
28 f) has served more than one-half of a term shall be credited with having served that
29 term. In the event that the position cannot be filled for the following term, the
30 Executive Committee may at this point, nominate the current officer to remain in the
31 position for the following year. For subsequent terms exceeding three years, a 2/3
32 majority vote by the Executive Committee will be required.
33

34 Section 4. Nominating Committee:
35

36 ~~a.~~ There shall be a nominating committee elected in January by the Board (see Article VIII,
37 a) section 5) consisting of at least seven members of the Club. Elections shall be by
38 plurality. One alternate shall be elected to serve in the event a member is unable to
39 serve. This committee shall elect its own chairman.
40

41 ~~b.~~ The nominating committee shall nominate an eligible person for each office to be filled
42 b) and report its nominees at the general membership meeting in April at which time
43 additional nominations may be made from the floor.
44

45 ~~c.~~ Only those persons who have signified their consent to serve if elected shall be nominated
46 c) for or elected to such office.
47

48 ~~d.~~ No member shall automatically serve on this committee because of his office in the Club
49 d) or position in the school system.
50

51 ~~e.~~ The sponsor shall not serve as a member of this committee, nor shall they appoint any
52 e) member of the committee.

1
2 Section 5. Vacancies:

3
4 ~~_____ a.~~ A vacancy occurring in any elected office shall be filled for the unexpired term by a
5 person

6 a) elected by a majority vote of the Board, notice of such election having been given.

7
8 ~~b.~~ In case a vacancy occurs in the office of president, the 1st vice president of activities shall

9 b) assume the president's office for the remainder of the term.

10
11 Section 6. Reason to remove officers:

12
13 ~~_____ a.~~ By two-thirds (2/3) vote of the Executive Committee, an officer shall be removed

14 a) from office for failure to perform duties, criminal misconduct or unethical behavior
15 in the Club's business.

16
17 **ARTICLE VII: Duties of Officers; Executive Committee**

18
19 Section 1. The president shall:

20
21 a) ~~_____ a.~~ coordinate the work of the officers and committees of the Club; and

22
23 ~~_____ b.~~ confirm that a quorum is present (see Article X) before conducting any business at any
24 b) meeting of the Club; and

25
26 c) ~~_____ c.~~ preside at all planned meetings of the Club, Executive Committee
27 and Board; and

28
29 d) ~~_____ d.~~ be an authorized signatory on bank accounts along with the
30 treasurer(s) and ~~one other~~ the 1st vice president of activities; and

31 ~~_____ officer as designated; and~~

32
33 e) ~~_____ e.~~ be a member ex-officio of all committees except the nominating and
34 audit committees; and

35
36 ~~_____ f.~~ maintain close communication with the FMHS band directors regarding all business of
37 the

38 f) Club.

39
40 Section 2. The ~~first~~ 1st vice president of activities shall:

41
42 a) ~~_____ a.~~ act as aide-to-the-president; and

43
44 b) ~~_____ b.~~ preside in the absence of the president; and

45
46 ~~_____ e.~~ coordinate special events at the request of the band directors or boosters which may
47 include

1 c) a Spring banquet, a solo & ensemble competition, a chamber ensemble dinner,
2 hospitality events, and providing meals for band students before away football
3 games.

4
5 Section 3. The ~~second~~2nd vice president of activities shall assist the ~~first~~1st vice president of
6 activities.

7
8 Section 4. The vice president(s) of merchandising shall be responsible for procurement and sales of
9 spirit
10 wear and all other FMHS band merchandise.

11
12 Section 5. The vice president(s) of concessions shall be responsible for operating concession stands
13 for
14 athletic and non-athletic events.

15
16 Section 6. The vice president(s) of fundraising shall:

17
18 ~~a.~~ coordinate Club-sponsored fundraising activities other than concessions and FMHS band
19 a) merchandise; and

20
21 ~~b.~~ organize volunteers to assist the directors with band student fundraising activities; and
22 b) insure that there are no door-to-door fundraisers, no member individual accounts, and
23 no required participation stipulations (as to remain LISD compliant.)

24
25 Section 7. The director of communications shall:

26
27 a) ~~a.~~ be responsible for all external publicity required to support the Club;
28 and

29
30 b) ~~b.~~ coordinate newsletter activities and social media.

31
32 Section 8. The secretary shall:

33
34 ~~a.~~ record the minutes of all meetings of the Club, update the minutes on the band website
35 a) within one week in draft status and present them at the following meeting;

36
37 ~~b.~~ maintain a compilation of the Club's minutes and a current copy of the bylaws, to be
38 b) retained in perpetuity;

39
40 c) ~~e.~~ provide copies of the minutes and bylaws to the president and the director of
41 information technology to be archived;

42
43 d) ~~d.~~ be responsible for correspondence; and

44
45 e) ~~e.~~ maintain current records of meeting attendance; ~~and.~~

46
47 ~~f. maintain legal documents in accordance with the Records Retention policy.~~

48
49 Section 9. The treasurer(s) shall:

- 1
2 ~~_____ a.~~ have charge and custody of all Club funds and the Club QuickBooks online account.
- 3 a) Ideally there are 2 treasurers: an AP treasurer for accounts payable (payments) and
4 an AR treasurer for accounts receivable (deposits); and
- 5
6 ~~_____ b.~~ both sign on bank accounts and keep within the records the identity of the
7 b) banking institution and account numbers for the checking and savings accounts and
8 credit cards; and
- 9
10 c) ~~_____ e.~~ use pre-numbered bank checks and a systematic record for bank
11 deposits; and
- 12
13 ~~_____ d.~~ make disbursements in accordance with the budget adopted by the Club, and keep
14 signed receipts or invoices supporting all disbursements. ~~All~~No disbursements ~~by the Club~~
15 shall be made in cash. Expenses shall be reimbursed within two ~~_____ AP treasurer shall be~~
16 ~~made by check, not in cash. Expenses shall be reimbursed within two~~
17 weeks of receiving the request if the following conditions are met: the request is properly completed
18 and supported, the expense is reimbursable pursuant to the budget then in effect, and there are
19 sufficient funds in the Club's account ~~(exceptions to the requirement for~~
20 and; the treasurer (AR) shall maintain ~~_____ original receipts must be approved by the~~
21 ~~treasurer) and; the treasurer (AR) shall maintain~~
22 d) member accounts while invoicing all fees pertinent to program, collecting funds for
23 deposit, making deposits at bank, and following up on members' account balances
24 regularly; and
- 25
26 ~~_____ e.~~ reconcile the ~~books and~~ records to the bank ~~statement~~and credit card statements monthly
27 while resolving any
28 e) discrepancies immediately. The monthly reconciliation report is to be completed by
29 the AP treasurer and submitted along with a copy of the bank statement to the AR
30 treasurer and ~~secretary~~president for approval (not for audit, but for review only); and
- 31
32 ~~_____ f.~~ keep ~~books of accounts and~~ records including bank and credit card statements and
33 f) reconciliations, receipts, budgets, booster meeting treasurer reports, invoices, paid
34 receipts, copies of forms submitted to the school or the district, and all copies of
35 financial, tax and audit reports for five years; and
- 36
37 ~~_____ g.~~ present a written financial report, which includes current period activity, cumulative to
38 g) date activity, and reconciled bank balances every ~~monthly~~ meeting of the Club and
39 also as requested by the Executive Committee and/or Sponsors; and
40 ~~_____ requested by the Executive Committee and/or Directors.~~
- 41
42 ~~_____ h.~~ be responsible for maintaining ~~books~~records of account, financial records, reports and
43 h) returns as required by federal and state taxing authorities; and
- 44
45 ~~_____ i.~~ establish a system whereby IRS Form 1099 MISC can be furnished to those individuals,
46 i) businesses, etc. who are paid \$600 or more in a calendar year and insure any person
47 providing services to the Booster Club must submit a W9, updated annually, before
48 any payment will be made; and
- 49

1 ~~j.~~ submit ~~books~~records to the audit committee, third-party auditors, and financials and
2 budgets

3 j) to the school principal as required; and

4
5 k) maintain, record, and update all vendor records in QuickBooks, including, but not
6 limited to, vendor W9 records.

7
8 Section 10. The director of technology shall:

9
10 a) be responsible for developing and implementing the Club's overall technology
11 strategy; and

12
13 b) be responsible for all account information used by the Club. This includes, but is not
14 limited to, apps, band emails, financial accounts, social media, and storage. Account
15 information needs to include name of account, login id, login password, website and
16 other relevant information as necessary; and

17
18 c) provide website updates; and

19
20 d) manage online forms to support the Club; and

21
22 e) identify and manage the testing and rollout of new technologies; and

23
24 f) create and maintain data repository of job descriptions, contracts, budgets, activities
25 throughout the year, and other relevant documentation as necessary; and

26
27 g) maintain legal documents in accordance with the Records Retention policy; and

28
29 h) be responsible for obtaining and implementing information and technology security

30
31 Section ~~10~~11. All officers shall:

32
33 ~~a.~~ perform the duties outlined in the bylaws and other tasks assigned

34 a) as needed; and

35
36 b) maintain and update documentation of job responsibilities each year and provide a
37 copy of this documentation to the director of information technology; and

38
39 c) ~~b. deliver~~provide to their successors or the president all pertinent materials
40 at the end of their term.

41
42 Section ~~11~~12. Collectively these officers shall comprise the Executive Committee. The duties of the
43 Executive Committee shall be to:

44
45 ~~a.~~ transact necessary business in the intervals between Club meetings and conduct such
46 other

47 a) business as may be requested by the Club; and

48
49 ~~b.~~ present a report at the regular meetings of the Club describing business transacted since
50 the

1 b) last meeting; and

2
3 c) ~~e.~~ recommend a budget for the year to be presented to the Club for adoption;
4 and

5
6 d) ~~d.~~ serve on the Club’s board; and

7
8 ~~e.~~ monitor compliance with the Club’s practices and policies and avoid intentional violation
9 e) of LISD policies and the rules and regulations of the UIL.

10
11 **ARTICLE VIII: Committees and Chairpersons; Board**

12
13 Section 1. The Executive Committee shall create or remove standing and special committees as
14 needed.

15
16 Section 2. The Executive Committee shall elect (by majority vote) chairpersons for all committees
17 each
18 year.

19
20 a) ~~a.~~ All chairpersons must be members of the Club.

21
22 ~~b.~~ No chairperson should serve in the same office for more than two consecutive terms.
23 One

24 b) who has served more than one-half of a term shall be credited with having served that
25 term. In the event that the position cannot be filled for the following term, the
26 Executive Committee may at this point, nominate the current chairperson to remain
27 in the position for the following year. For subsequent terms exceeding three years, a
28 2/3 majority vote by the Executive Committee will be required.

29
30 Section 3. The Executive Committee may remove (by majority vote) a chairperson for failure to
31 perform
32 duties, criminal misconduct, or unethical behavior in the Club’s business.

33
34 Section 4. All chairpersons shall ~~maintain records of their Club activities and deliver those records~~
35 to:

36
37 a) perform the duties outlined in the bylaws and other tasks assigned as needed; and

38
39 b) maintain and update documentation of job responsibilities each year and provide a
40 copy of this documentation to the director of information technology; and

41
42 c) provide to their ~~successor~~successors or the president all pertinent materials at the
43 ~~completion~~end of their term.

44
45 Section 5. Collectively, the officers and chairpersons comprise the Board of the Club.

46
47 Section 6. Other responsibilities include but are not limited to:
48

1 ~~a.~~ The Board will authorize ~~at least three~~up to four officers to be check signers each fiscal
2 year and this

3 a) authorization shall be noted in the minutes. Two of the ~~three~~four signatures will be
4 required on each check issued.

5
6 ~~b.~~ Board members will timely remit to the AR treasurer for deposit any Club moneys that
7 b) they may receive, generally within three business days of receipt. ~~Whenever~~
8 ~~possible, at~~At least two people should count the moneys collected from
9 merchandising or fundraising and document the amount given to the AR treasurer for
10 deposit. The treasurer(s) shall not work the cashier station at merchandising or
11 fundraising events.

12
13 ~~c.~~ All requests for reimbursement of expenses must be documented in writing, include the
14 Booster Club Accounts Payable Invoice & Reimbursement form available on the FMHS Band
15 website, signed by the

16 c) responsible ~~Board member and party~~, accompanied by original receipts and
17 submitted to the AP treasurer via email at treasurerap@fmhsband.org. Exceptions to
18 the requirement for original receipts must be approved by the AP treasurer.

20 ARTICLE IX: Duties of Sponsor

21
22 Section 1. The sponsor of the Club shall not be a member or have voting privileges on the
23 Executive
24 Committee or Board.

25
26 Section 2. The sponsor shall advise the Club against proceeding if the Club's plans would violate
27 LISD
28 policies or UIL rules.

30 ARTICLE X: Meetings

31
32 Section 1. This Club shall hold a minimum of six meetings per fiscal year. Regular meeting dates
33 will be
34 established by the Executive Committee at the first meeting of the year. Time and dates will be
35 announced to the membership at its first meeting of the year.

36
37 Section 2. Special meetings of the Club may be called by the president or by a majority of the
38 Executive Committee.
39 ~~Committee, at least ten days' notice having been given.~~

40
41 Section 3. Meetings of the Executive Committee may be called by the president or by a majority of
42 its members.
43 ~~members, at least three days' notice having given.~~

44
45 Section 4. Four members shall constitute a quorum for the transaction of business at any Executive
46 Committee meeting. Eight members shall constitute a quorum for the transaction of business in any
47 other meeting of this Club or its Board.
48 ~~in any other meeting of this Club or its Board.~~

ARTICLE XI: Fiscal Year & Audit

Section 1. The fiscal year of the Club shall begin June 1 and end May 31.

Section 2. An audit committee consisting of not less than three (3) members, who are not authorized check signers, shall be appointed by the ~~Board~~Executive Committee before the last meeting of the fiscal year. Alternatively, the Club may use a third-party, who is deemed qualified by the Executive Committee, to serve as auditor for the Club. Such third party shall not be an officer of the Club.

~~Alternatively, the Club may use a third party Certified Public Accountant, who is not an Officer of the Club, to serve as Auditor for the Club.~~

Section 3. The report of the Audit Committee shall be adopted by the Club and must be submitted to the school principal along with the fiscal year financial reports.

ARTICLE XII: Budget

Section 1. The Club shall establish a budget for each fiscal year and operate within that budget. The Budget shall require the Club to maintain a minimum working capital balance as determined by the Budget Committee.

Section 2. The Budget Committee is to be comprised of the president, treasurer(s), 1st vice president of activities and Sponsors. The president may appoint additional members to the Budget Committee at their discretion.

~~Section 2. The president shall appoint a budget committee to be comprised of the directors and at least three officers (of which includes the treasurer(s).)~~

Section 3. ~~All~~ Before the end of May of the current year, all members of the Board shall communicate to the Budget Committee their planned activities and anticipated revenues and expenditures for the upcoming year.

Section 4. The budget committee shall present a preliminary budget to the Executive Committee prior to the date of band registration. Subsequently, the budget committee shall present to the Executive Committee approved budget to the Club for the Club's approval by majority vote during the first full Club meeting in the fiscal year. The adopted budget must be submitted to the school principal.

Section 5. The treasurer(s) shall present interim updates to the budget upon request by the Executive Committee and/or ~~Directors~~Sponsors.

Section 6. Personal property purchased by the Club, which is placed in, on, or around the school, must be designated by the Board as either the property of the Club or of the school. If the item is the property of the Club, it becomes part of the Club's physical assets and the Club is liable for its maintenance and use. If not specifically identified as property of the Club, it will be

1 considered a gift to the school and district. The Club shall maintain insurance on physical
2 assets as required by the school or by law.
3

4 **ARTICLE XIII: Parliamentary Authority**

5
6 The rules contained in the current edition of *Robert's Rules of Order Newly Revised* shall govern the Club
7 in all cases in which they are applicable and in which they are not in conflict with these bylaws, or the
8 articles of incorporation.
9

10 **ARTICLE XIV: Amendments**

11 Section 1.

12 ~~a.~~ These bylaws may be amended at any meeting of the Club, provided a quorum is present,
13 a) by two thirds (2/3) vote of the members present and voting. Details of the proposed
14 amendment and notice of the intent to vote shall be provided to the membership
15 through the regular publicity channels at least twenty (20) days prior to the meeting
16 at which the amendment is voted upon or communicated at the immediately
17 preceding regular meeting.

18
19 ~~b.~~ A committee may be appointed to submit a revised set of bylaws as a substitute for the
20 b) existing bylaws only by a majority vote at a meeting of the Club, or by a majority
21 vote of the Board. The requirement for adoption of a revised set of bylaws shall be
22 the same as in the case of an amendment.

23
24 ~~c.~~ After adoption by a two-thirds (2/3) vote at a meeting of the Club, a copy of bylaws as
25 c) amended or revised and dated shall be provided to the sponsor.
26

27 Section 2. The Club shall review and if necessary amend its bylaws at least every three (3) years.
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29
30
31
32

1
2

Summary report:	
Litera® Change-Pro for Word 10.8.2.11 Document comparison done on	
4/10/2021 9:06:15 PM	
Changes:	
Add	151
Delete	200
Move From	2
Move To	2
Table Insert	0
Table Delete	0
Table moves to	0
Table moves from	0
Embedded Graphics (Visio, ChemDraw, Images etc.)	0
Embedded Excel	0
Format changes	0
Total Changes:	355

3
4