

BYLAWS OF THE

Lone Star High School Band Boosters Association

A NON-PROFIT CORPORATION

Adopted May 26th, 2014; Amended and Restated May 28th, 2015

ARTICLE I – DEFINITIONS

The following terms shall have the assigned meanings throughout the bylaws:

1.1 “Association” shall mean and refer to the “Lone Star High School Band Booster Association”, also known as the LSHSBBA.

1.2 “Band” shall mean and refer to any group assembled by the Band director either as a class or school-sponsored activity including the Band and guard students.

1.3 “meetings of the Elected Officers” shall mean and refer to any official gathering of the Elected Officers.

1.4 “General Meeting” shall mean and refer to any official gathering of the members of the Association.

1.5 The “Elected Officers” means and refers to the President, Vice President, Secretary, Treasurer, and Parliamentarian.

1.6 “Staff” shall mean and refer to the Band directors, Band instructors, guard directors, percussion directors, and school administration from Lone Star High School.

1.7 “Member” shall mean any parent or guardian that has paid membership dues

ARTICLE II - NAME

2.1 The name of the Association shall be Lone Star High School Band Booster Association.

ARTICLE III – LOCATION

3.1 The principle office of the Association in the State of Texas shall be located in the City of Frisco, County of Denton.

ARTICLE IV - OBJECTIVES

4.1 The Association is an independent non-profit organization, organized to support the Band in Frisco Independent School District at Lone Star High School in Frisco, Texas, 75033 and dedicated to achieve the following objectives:

- The sole function is to support the educational activities of the designed program.

- To provide a positive environment for students' educational and artistic growth.
- To promote a closer relationship between parents, students, and Staff in an atmosphere of mutual cooperation, support, and respect.
- To encourage a high level of achievement for the Band and its members.
- To provide resources, both human and financial to Band activities.
- To promote and recognize the Band and its students accomplishments.
- Strive to provide resources for post-graduation academic scholarships.

4.2 Activities of the Association shall not conflict with University Interscholastic League rules and shall act in accordance with UIL Booster Club Guidelines, and the FUSD Booster Club Requirements and Operational Guidelines . The organization is organized for charitable purposes within the meaning of Section 501(c)(3) of the IRS.

ARTICLE V- METHODS

5.1 The Association shall strive to achieve the objectives of the Association by assisting in logistics and providing support through projects and contributions by its members.

5.2 The organization shall be noncommercial, nonsectarian, and nonpartisan.

5.3 The organization shall not directly or indirectly participate or intervene in any political campaign on behalf of or in opposition to any candidate for public office.

5.4 No part of the net earnings of the organization shall inure to the benefit of, or be distributed to its Members, directors, elected officers, or other private persons except that the organization shall be authorized and empowered to pay reasonable compensation for services rendered when approved by the Association.

ARTICLE VI – MEMBERSHIP

6.1 **Members.** ~~Parents or guardians of the members of the Bands shall become members of the Association upon their child's enrollment in the Band program~~ Only parents/guardians of students who are actively participating in the Band shall be eligible for membership in the Association. ~~and~~ The payment of a membership fee as will be set by the Elected Officers. Members are expected to support the objectives of the Association.

Only active Members in good standing shall be permitted to hold office or vote upon any matter of business of the organization

The Association may also have Associate Members and Business Associate Members as directed by the Elected Officers, and such Associate Members shall have no voting privileges on business matters before the Association nor shall they be eligible to serve as Elected Officers. However, they shall be afforded all other rights and privileges of membership in the Association as determined by the Elected Officers.

The Band directors, as well as Band advisors and instructors as designated by the Head Band director, shall be considered Associate Members (non-voting) without the required payment of any membership fee. The Band directors will ensure that activities are conducted in accordance with Frisco ISD policies and shall encourage members of the Association and Staff to support the Association by their attendance at meetings and musical events. The Band directors shall recommend desirable projects and activities to be pursued by the Association. The Head Band director, or his or her designee, will receive notice of and be allowed to attend any meeting of the Elected Officers.

6.2 Termination of membership. Membership of the parents or guardians is automatically terminated upon graduation of the student from Lone Star High School, transfer from Lone Star High School or withdrawal from the Band program.

6.3 Transfer of Membership. Membership in this Association is not transferable or assignable.

6.4 Dues. Annual membership dues will be for the school year commencing July 1st and ending in June 30th of the following year. A member is considered to be in good standing upon payment of annual membership dues. Annual membership dues for the Association are to be set annually by the Elected Officers. Each membership or, Associate Membership or Business Associate Membership will include: access to calendar and volunteer registration available at www.lshsband.com.

6.5 Associate Members. For a minimum of \$50 per school year, alumni and friends of the Lone Star High School Band may receive an Associate Membership.

6.6 Business Associate Members. For a minimum of \$100 per school year, firms and corporations are encouraged to support the Association activities through a Business Associate Membership.

ARTICLE VII – GENERAL MEETINGS OF MEMBERSHIP

7.1 Quorum. A quorum for all General Meetings of the Association shall consist of the members in attendance.

7.2 Annual Meeting. An annual meeting of the members will be held during the spring concert each year, for the purpose of electing officers and for the transaction of other business as may come before the meeting. If the election of officers is not held on the day designated for any annual meeting, or at any adjournment thereof, the Elected Officers shall cause the election to be held at a special meeting of the members as soon thereafter as possible. The Elected Officers may designate any place as the place of meeting for any annual meeting or for any special meeting called by the Elected Officers. A minimum of two General Meetings shall be held annually at a time and place designated by the Elected Officers.

7.3 Special Meetings. Special meetings may be called by the President, a majority of the Elected Officers or not less than one tenth of the Membership.

7.4 Notice of Meeting. Notice of all meetings of the organization should be published at the campus, or by email to the membership, seventy-two (72) hours prior to the meeting date, by or at the direction of the President, or the Secretary or the Elected Officers or persons calling the meeting. The notice must

clearly indicate the date and time of the meeting and the items to be discussed. All booster meetings must take place on the school premises unless otherwise approved by the campus Principal. In order to provide an optimum level of communication and teamwork, all meetings must be held in the presence of the head coach/director or campus Principal. Written, printed or verbal notice stating the place, day and hour of any meeting of members will be distributed, either personally or by electronic mail, to each member entitled to vote at such meeting, not less than ten days before the date of such meeting. In case of a special meeting or when required by statute or these bylaws, the purpose for which the meeting is called will be stated in the notice.

The Association will conduct regularly scheduled general meetings.

7.5 Budget. An operating budget for the following year, identifying fundraising projects and purposes for which the funds are being raised, will be prepared and proposed by the Elected Officers and must be available to the Membership.

~~No part of the net earnings of the Association shall be used for the benefit of or be distributed to its members, directors, officers or other private persons except that the Association is authorized and empowered to pay reasonable compensation for services rendered and to make payments and distributions in the furtherance of the purposes of the Association.~~

ARTICLE VIII – ELECTED OFFICERS

8.1 Nominations Committee. The duty of the nominating committee is to find the best candidate for each office. The nominating committee will be comprised of the Parliamentarian, who chairs the committee, and two other members in good standing (neither of which may be a current Elected Officer, but may be serving in an Appointed Position) selected by the Parliamentarian. The nominating committee will also include the Head Band Director as an ex-officio member. The President may not sit on the nominating committee. A member of the Nominating Committee may be nominated for an Elected Officer position.

The nominating committee may request that the membership be polled to find members that are interested in serving and may request a list of the current and rising 8th grade membership. A member must be in good standing in order to be an Elected Officer. A member of the nominating committee must receive the consent of the nominee for the nomination before nominating the member. The nominating committee shall not nominate two individuals related within two degrees of sanguinity to both serve as Elected Officers.

The report of the nominating committee will be made at the General Meeting during the spring concert and the election of officers will take place at that same meeting. Nominations from the floor must be allowed. If there is more than one candidate for the same office, a simple majority vote of those in attendance will decide the election.

8.2 Officers.

The Elected Officers shall not be a Lone Star High School band or guard program employee or the employee's spouse. ~~The Elected Officers must be members of the Association.~~

Employees of the district shall not serve in a financial capacity of this organization. Financial capacity includes holding positions of treasurer, fundraising chairperson, or serving as a check signer.

Each officer shall be a member of the Association. Any exceptions must be approved by the head coach/director and campus Principal.

Only one member of a family may serve as an officer at the same time, unless they are serving as co-chairs in the same office which limits the family vote to one.

No officer shall be permitted to hold more than one office at the same time.

The Elected Officers of the Executive Board will consist of the following:

- One (1) President
- One (1) Vice President
- One (1) Secretary
- One (1) Treasurer
- One (1) Parliamentarian

8.3 Voting. By simple majority of the Elected Officers present at any properly called meeting, the Elected shall make all necessary and proper decisions for the operation of the Association not otherwise provided by these bylaws. Meetings may be called by the President with notice provided to Elected and the Head Band Director by the Secretary. Voting may be conducted electronically where necessary.

8.4 Maximum Tenure. ~~The maximum tenure for Elected Officers in any position shall be two (2) years.~~
There is a two - one-year consecutive term maximum that members may serve in the roles as the Elected Officers, however, exceptions may be made by the campus principal.

8.5 Term. The term of office for the Elected Officers will be from July 1 through June 30 of each calendar year.

8.6 Removal. Any Elected Officer may be removed by three-fifths of the Elected Officers whenever in their judgment the best interests of the Association would be served.

8.7 Vacancies. A vacancy in any Elected Office because of death, resignation, disqualification or otherwise, may be temporarily filled with an appointment as approved by a majority vote of the Elected Officers for the unexpired portion of the term. The unexpired portion of the term will not count towards the two (2) year limitation for Elected Officers. In the event that the President position becomes vacant, the Vice-President will immediately assume the duties of President and the Vice-

President position will be temporarily filled by a majority vote of the Elected Officers for the unexpired portion of the term.

8.8 President.

- **Preside at all meetings of the organization;**
- The President shall be the principal executive officer of the Association and shall in general supervise and control all of the business and affairs of the Association.
- The President may sign, with the Secretary and any other Officer of the Association authorized by the Elected Officers, any deeds, mortgages, bonds, contracts or other instruments which the Elected Officers have authorized to be executed, except in cases where the signing and execution thereof shall be expressly delegated by the Elected Officers or by these Bylaws or by statute to some other officer or agent of the Association
- **Meet at least once a month at a minimum with the head coach/director and campus Principal or designee at principal's request regarding booster activities;**
- **Resolve problems in the membership;**
- **Meet at least once a month at a minimum with the treasurer of the organization to review the organization's financial position;**
- **Schedule annual audit of records or request an audit if the need should arise during the year;**
- In general, the President shall perform all duties incident to the office of President and such other duties as may be prescribed by the Elected Officers from time to time.
- The president shall be an ex-officio member of all committees except the nominating committee and shall assist in appointing committee members to all committees not otherwise provided by these Bylaws.

~~The President shall preside at all General Meetings and meetings of Elected Officers.;~~ and, k

8.9 Vice President.

- **Preside at meetings in the absence or inability of the president to serve;**
- **Perform administrative functions delegated by the president** or Elected Officers.
- **Receive bank statements either through the mail at their home address or electronically. This individual shall not be a signer on the account. Upon receipt, the designee should review the activity on the bank statement and canceled checks. This provides an independent review by an individual not associated with disbursement activity.**
- ~~In the absence of the President or in the event of his or her inability or refusal to act, the Vice President shall perform the duties of the President, and when so acting shall have all the powers of and be subject to all the restrictions upon the President. The Vice President shall perform such other duties as from time to time may be assigned to the Vice President by the President~~

8.10 Treasurer.

- **Authorized custodian of the funds of the organization;**
- **The treasurer and an additional board member shall sign all checks, drafts, and warrants. All contracts, checks, other orders for payment, receipt or deposit of money, and access to securities of the Association are required to have two signatures.**
- **Receives and disburses all monies indicated in the budget and prescribed in the bylaws or as authorized by action of the organization;**

- Issue a receipt for all monies received and deposit said amounts on a weekly basis (daily if receipts on hand exceed \$250);
- Present a current financial report including bank statements, bank reconciliations, and financial statements to the Elected Officers within thirty days of the previous month end. Copies shall be available for review by the Members within a reasonable timeframe, if requested.
- File current financial reports at the end of each fiscal year with the head coach/director and campus Principal;
- Maintain an accurate and detailed account of all monies received and disbursed;
- Reconcile all bank statements as received and resolve any discrepancies with the bank immediately;
- File sales tax reports as required by the Texas Comptroller's Office (monthly, quarterly, or annually). Sales tax reports must be filed even if no sales tax was collected for the period reported. If not, a non-filing fee will be assessed by the Texas Comptroller's Office.
- File annual IRS form 990, 990-T, 990-N, or 990-EZ;
- Submit records to audit committee appointed by the organization upon request or at the end of the year;
- If required by the Elected Officers, the Treasurer shall give a bond for the faithful discharge of duties in such sum and with such surety or sureties as the Elected Officers shall determine.

~~The Treasurer shall have charge and custody of and be responsible for all funds and securities of the Association; receive and give receipts for moneys due and payable to the Association from any source whatsoever, and deposit all such moneys in the name of the Association in such banks, trust companies, or other depositories as shall be selected in accordance with these Bylaws and in general perform all the duties incident to the office of Treasurer, including the disbursement of funds, and such other duties as from time to time may be assigned to the Treasurer by the President or by the Elected Officers.~~

8.11 Secretary.

- Keep accurate records of the proceedings of the organization and reporting to the organization in one or more books provided for that purpose.
- Ensure the accuracy of the minutes of the meetings;
- Have a thorough knowledge of parliamentary law, and the organization's bylaws;
- Report on any recommendations made by the Elected Officers;
- Maintain the records of the minutes; approved bylaws and any standing committee rules; and current membership and committee assignments;
- Record all business transacted at each meeting of the organization;
- Give all notices in accordance with the provisions of these bylaws or as required by law.
- Provide notice of meetings of the Elected Officers to all Elected Officers and Head Band director
- Shall be custodian of the corporate records and of the seal of the Association, and affix the seal of the Association to all documents, the execution of which on behalf of the Association under its seal is duly authorized in accordance with the provisions of these bylaws:
- Maintains records of attendance of Elected Officers at meetings;
- Conduct and report on all correspondence on behalf of the organization;
- ~~and,~~ In general, perform all duties incident to the office of Secretary and such other duties as from time to time may be assigned by the President or by the Elected Officers.

~~The Secretary shall keep the minutes of the General Meetings and meetings of the Elected Officers keep a register of the post office or electronic mail address of each member as furnished to the Secretary by the Frisco Independent School District;~~

8.12Parliamentarian.

- The Parliamentarian will keep order in the Elected Officers meetings.
- Advise the President on the conduct of General Meetings and meetings of the Elected Officers and ensure that the meetings abide by Robert's Rules of Order and these bylaws.
- The Parliamentarian will chair the nominations committee.

8.13Appointed Positions. The Nominating Committee may make a recommendation to the Elected Officers for the Appointed Positions. The Elected Officers may create new positions, appoint individuals to those positions, or dissolve positions, as deemed necessary for assisting with the operation of the Band program and the Association. The members serving in Appointed Positions must be members in good standing and may be removed by a majority vote of the Elected Officers whenever the Elected Officers determine that the removal is in the best interest of the Association.

ARTICLE IX - COMMITTEES

9.1Committees. Committees not having and exercising the authority of the Elected Officers in the management of the Association may be designated by a resolution adopted by a majority of the Elected Officers present at a meeting at which a quorum is present. Except as otherwise provided in such resolution, members of each such committee shall be members of the Association and the President of the Association shall appoint the members thereof. Any members thereof may be removed by the person or persons authorized to appoint such member whenever, in their judgment, the best interests of the Association shall be served by such removal.

9.2Term of Office. Each member of a committee shall continue as such until the next annual meeting of the members of the Association and until his successor is appointed, unless the committee shall be sooner terminated, or unless such member be removed from such committee, or unless such member shall cease as a member of the Association.

9.3Chairperson. The person or persons authorized to appoint the members thereof shall appoint one member of each committee as chairperson.

9.4Vacancies. Vacancies in the membership of any committee may be filled by appointments made in the same manner as provided in the case of the original appointments.

9.5Quorum. Unless otherwise provided in the resolution of the Elected Officers designating a committee, a majority of the whole committee shall constitute a quorum and the act of a majority of the members present at a meeting at which a quorum is present shall be the act of the committee.

9.6Rules. Each committee may adopt rules for its own government not inconsistent with these bylaws or with rules adopted by the Elected Officers.

ARTICLE X – FUNDRAISING GUIDELINES

10.1 All fundraising activities shall be reviewed and approved by the head coach/director, and campus Principal.

10.2 The Association will abide by specific departmental and district booster club guidelines for expectations regarding student involvement in booster club fundraising activities.

ARTICLE XI- CONTRACTS, CHECKS, DEPOSITS AND FUNDS

11.1 Authorization. The Elected Officers may authorize any officer or officers, agents of the Association; in addition to the Elected Officers so authorized by these bylaws, to enter into any contract or execute and deliver any instrument in the name of and on behalf of the Association. Such authority may be general or confined to specific instances.

11.2 Checks and Drafts. All checks, drafts or orders for the payment of money, notes or other evidences of indebtedness issued in the name of the Association shall be signed by such officer or officers, agent or agents of the Association and in such manner as shall from time to time be determined by resolution of the Elected Officers or these Bylaws. In the absence of such determination by the Elected Officers, such instruments shall be signed by at least two of the following: Treasurer, President, or Secretary. ~~Vice President.~~ Check signers cannot be the person to whom the check is written, or related to the individual to whom the check is written. No signed blank check will be distributed to any person unless authorized by the Elected Officers in advance.

11.3 Deposits. All funds of the Association shall be deposited from time to time to the credit of the Association in such banks, trust companies or other depositories as the Treasurer may select unless otherwise directed by a majority of the Elected Officers.

11.4 Gifts. Any Elected Officer may accept on behalf of the Association any contribution, gift, bequest or devise for the general purposes or for any special purpose of the Association.

11.5 Budget. No unbudgeted expenditures will be made without approval of a majority of the Elected Officers.

ARTICLE XII - BOOKS AND RECORDS

12.1 Books and Records. The Association shall keep correct and complete books and records of account and shall also keep minutes of the proceedings of its General Meetings and meetings of the Elected Officers and a record giving the names and addresses of the members entitled to vote and provide same for inspection on five days' written notice at the registered or principal office.

An annual reconciliation of the Association's financial records will be conducted prior to the end of each fiscal year by a reconciliation committee comprised of 3 appointed members who do not have authority

to sign checks. A signed statement by the reconciliation committee must be completed and submitted to the President at least two weeks before the beginning of the new school year.

ARTICLE XIII - FISCAL YEAR

13.1Fiscal Year. The fiscal year of the Association shall begin on the first day of July and end on the last day of June in each year.

ARTICLE XIV - WAIVER OF NOTICE

14.1Notice. Whenever any notice is required to be given under the provision of the Texas Non-Profit Corporation Act or under the provisions of the articles of incorporation or the Bylaws of the Association, a waiver thereof in writing signed by the person or persons entitled to such notice, whether before or after the time stated therein, shall be deemed equivalent to the giving of such notice.

ARTICLE XV - AMENDMENTS TO THESE BYLAWS

15.1Amendments. These by-laws shall be jointly reviewed on an annual basis by the head coach/director, campus Principal, and the Association elected officers. These Bylaws may be altered, amended or repealed and new Bylaws may be adopted by a majority of the members present at any General Meeting, if at least ten days' written notice is given of an intention to alter, amend or repeal these Bylaws or to adopt new Bylaws at such meeting and provided that notice of the proposed amendment shall have been filed with the secretary of the Association and a copy of the proposed amendment has been sent to the members before the meeting at which it is to be considered for adoption. Copies of the bylaws must be on file with the head coach/director and campus Principal. In addition, an exempt organization must report name, address, and structural and operational changes to the bylaws to the IRS. If the Association files an annual return (Form 990), it must report the changes on the return.

ARTICLE XVI—RULES OF ORDER

16.1Rules. The most current issue of Robert's Rules of Order shall be the authority on all questions of procedure not specifically stated in these bylaws.

We the undersigned Elected Officers, do hereby certify that the foregoing is the true and legal bylaws of the Lone Star High School Band Booster Association, Frisco ISD, and that the same were amended and adopted on the 29th day of May, 2014.

ARTICLE XVII – DISSOLUTION OF THE ASSOCIATION

17.1 If the Association has been judged by the Principal or FISD Administration to be disruptive to the educational activities or goals of the program or group, the Association may be dissolved. All monies,

after resolution of all debt, will be transferred to Lone Star High School or other non-profit organization as designated by the campus Principal after payment for all outstanding debts.

Dated:

President

Secretary