

**FRISCO HIGH SCHOOL BAND BOOSTER ASSOCIATION, INC.**

**BY-LAWS**

**Article I – DEFINITION**

“Association” shall mean and refer to the Frisco High School Band Booster Association.

"Board" shall mean and refer to the Band Booster Executive Board of Officers.

“Staff” shall mean and refer to the band directors, band instructors, color guard director, and school administration.

“Band” shall mean and refer to any group assembled by the band director either as a class or as a school-sponsored activity, including, but not limited to, Band and Color Guard students.

**ARTICLE II – NAME**

The name of this organization shall be **FRISCO HIGH SCHOOL BAND BOOSTER ASSOCIATION, INC.**

**ARTICLE III – OBJECTIVES**

The Association is an independent non-profit organization, organized to support the Band at Frisco High School in Frisco, Texas, USA, and dedicated to achieving the following objectives:

- To provide a positive environment for students’ educational and artistic growth.
- To promote a closer relationship between the 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.

Activities of the Association shall not conflict with University Interscholastic League (UIL) rules. The organization is organized for charitable purposes within the meaning of Section 509 (a) (2) of the Internal Revenue Code. On October 17, 2003, this organization was recognized as exempt under section 501(c) (3) of the Internal Revenue Code and was issued Identification Number: 20-0112493.

**ARTICLE IV – METHODS**

**Section 1** – The Association shall strive to achieve the objectives of the Association by assisting in logistics and providing support through projects and contributions.

**Section 2** – The organization shall be noncommercial, nonsectarian, and nonpartisan.

**Section 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.

**Section 4** – No part of the net earnings of the organization shall be distributed to its members, directors, officers, or other private persons except that the organization shall be authorized and empowered to pay reasonable compensation for services rendered.

**Section 5** – The name of the Association, or the names of any members in their official capacities, shall not be used to endorse or promote a commercial concern, or in connection with any partisan interest, or for any purpose not appropriately related to promotion of the objectives of this organization.

**Section 6** – No substantial part of the activities of the Association shall involve the carrying on of propaganda or otherwise attempting to influence legislation. However, information regarding issues that may affect the Association or the band program may be disseminated and/or discussed at meetings.

**Section 7** – Notwithstanding any other provision of these articles, the Association shall not carry on any other activities not permitted to be carried on: (a) by an organization exempt from federal income tax under 501(c)(3) of the Internal Revenue Code, or corresponding Section of any future federal tax code; or (b) by an organization, contributions to which are deductible under Section 170(c)(2) of the Internal Revenue Code, or corresponding Section of any future federal tax code.

## **ARTICLE V – MEMBERSHIP AND DUES**

**Section 1** – Any person who is a parent or legal guardian of a student in the Frisco High School Band and is willing to uphold its policies and subscribe to its By-Laws may become a member.

**Section 2** – Membership dues (if deemed necessary) are voluntary and shall be determined by the Board.

## **ARTICLE VI – BOARD OF DIRECTORS AND THEIR ELECTION**

**Section 1** – Officers:

- a. The officers of the Executive Board of Directors consist of the following:
  - President
  - Vice President of Membership
  - Secretary
  - Treasurer
  - Vice President of Fundraising
  - Band Services
  - Volunteer Coordinator
  - Historian
- b. An individual, a husband and wife team, or a team of two individuals may fill these offices. For voting purposes, each office constitutes one vote.
- c. The Head Director (or their designate) is a non-voting, ex-officio member of the Board and shall give guidance to the Association so that no school policies, or U.I.L. or T.M.E.A guidelines, are violated.
- d. Each voting officer must be a parent or legal guardian of a student who is a member of the Band.
- e. Each officer shall be a member of the Association.
- f. No two Executive Board positions may be filled by the same family unit, e.g., the President cannot be married to the Treasurer.
- g. A person shall not be eligible to serve more than two consecutive terms in the same office, pursuant to Board discretion.

**Section 2** – Nomination and Election Process:

- a. A Nominating Committee, consisting of at least three (3) members of the Association, shall be appointed no later than March 1st by the President, subject to the approval of the Executive Board. The Committee may have more than three members, but must consist of an odd number of members. The Committee shall consist of at least one, but not more than two members of the Executive Board.
- b. The Nominating Committee shall nominate at least one eligible person for each office to be filled and report the nominees, also known as the slate, to the General Membership two (2) weeks prior to the Election Meeting. Such notification may be at a General Membership meeting or by written

communication. Additional nominations of eligible candidates may be made from the floor at the Election Meeting.

- c. Only those persons who have signified their consent to serve if elected shall be nominated or elected to such office.
- d. Officers shall be elected by plurality for a term of one school year by ballot at the General Membership Election Meeting. However, if there is but one nominee for an office, election for that office may be by voice vote.
- e. Officers shall assume their official duties following the close of the school year and shall serve a term of one year.

**Section 3 - Vacancies:**

- a. In case of a vacancy in the office of the President, the Vice-President of Membership shall ascend to the Presidency for the remaining term.
- b. A vacancy occurring in any other elected office shall be filled for the unexpired term by a person elected by a majority vote of the remaining members of the Board, due notice of such election having been given.
- c. Should a multiple vacancy (e.g., both the President and Vice President of Membership) occur, the succession of offices will be determined by the Board.
- d. Any officer whose child ceases to be a member of the Band program shall resign and a new officer shall be elected in accordance with Article VI, Section 3.

**ARTICLE VII – RESPONSIBILITIES OF OFFICERS**

**Section 1 –** The President shall have signature authority for all contracts executed on behalf of the Association.

**Section 2 –** Board members shall miss no more than two consecutive scheduled Board meetings. Should that instance arise, the Board shall reserve the right to remove that member from office based on a two-thirds majority vote of Board members in favor of the action. If the board position includes two people, as long as one person is present at the board meeting, that position will be considered represented.

**Section 3 –** Board members shall conduct themselves morally and ethically at all times.

**Section 4 –** If a Board member consistently fails to comply with these By-Laws and Standing Rules, the Board reserves the right to remove that member from office based on a two-thirds majority vote of Board members in favor of the action.

**Section 5 –** Outgoing Board members should serve as mentors to the incoming Board members. This period will begin after the elections and may last until the beginning term as outlined in Article VI, Section 2e.

**ARTICLE VIII – MEETINGS AND VOTING**

**Section 1 –** General meetings of the Association shall be held at least three times a year, called by the President. The first meeting shall be held close to the beginning of the school year. Members present shall constitute a quorum for the transaction of business at any general meeting of the Association, provided three (3) days due notice of the meeting has been given. For purposes of this section, due notice shall be defined as notification via e-mail, website, letter, or announcement in class. The privilege of holding office, introducing motions, discussion, and voting shall be limited to members of the Association.

**Section 2 –** The Board shall meet at least three times a year prior to General Meetings during the school year and at other times as necessary. For purposes of Board voting, each position shall have one vote even if that position is shared by a team. A quorum constitutes 2/3 of the Executive Board. If a member cannot attend a

meeting, they have the authority to delegate their vote to any member of their reporting committee. All Board voting shall be documented and published in the Board minutes. This will include individual votes cast, totals, and vote outcome. This universal principle applies to all methods of voting, such as (but not limited to) e-mail, phone, or face-to-face voting.

**Section 3** – Special meetings may be called by the President or members of the Board, as necessary, provided all Board members are properly notified. Notification may include e-mail or phone calls.

## **ARTICLE IX – BUDGETING AND EXPENDITURE AUTHORITY**

**Section 1** – The Board shall have authority to allocate assets of the Association in support of the stated objectives.

**Section 2** – A budget committee of no less than three (3) people shall be formed no later than May 15<sup>th</sup> to create a budget for the following school year. The current President and Treasurer shall be part of that committee and shall obtain input from the Head Band Director. The committee shall present a budget to the Board at the final board meeting of the current school year. The budget must be approved by the Board prior to the first general meeting of the following school year.

**Section 3** – The Treasurer shall maintain a budget which accounts for all anticipated revenue and expenditures throughout the year.

**Section 4** – No un-budgeted expenditures shall be made without approval of two-thirds of the Board.

**Section 5** – The Treasurer shall have custody of all funds of the Association.

**Section 6** – Two authorized signatures shall be required on all checks over the amount of \$500. In the event that both members of a husband/wife team are authorized signers on the account, the husband/ wife team shall not sign the same check. Authorized signatures for checks should include the Treasurer, President and one other Executive Board member.

**Section 7** – The fiscal year of this organization shall begin July 1 and end June 30.

**Section 8** – A Financial Reconciliation Committee consisting of not less than three (3) members, who are not authorized to make withdrawals from the Association's bank account(s), shall be appointed by the Executive Board no later than June 15th. After the close of the fiscal year, the Committee shall examine the financial records of the association, ensuring that all procedures have been followed, and prepare a report for the Board. The Committee's report shall be presented at the first Board Meeting following the close of the fiscal year where the report shall be adopted by a majority vote of the Board.

**Section 9** - The association shall designate two (2) tax free days per calendar year, in accordance with the regulations set forth by the state of Texas.

## **ARTICLE X – STANDING AND SPECIAL COMMITTEES**

**Section 1** – Such standing and special committees shall be created by the Board as may be deemed necessary to promote the objectives and carry on the work of the Association. All committee work shall be undertaken with the consent of the Board. Special committees created and appointed for a specific program will cease to exist upon completion of the assigned work.

**Section 2** – The President shall be an ex-officio member of all committees except the Nominating Committee and the Financial Reconciliation Committee.

**Section 3** – Only members of the association shall be eligible to serve on committees.

**Section 4** – The quorum of any committee shall be a majority of its members.

## **ARTICLE XI – PARLIAMENTARY AUTHORITY**

**Section 1** – Robert’s Rules of Order (Revised) shall govern this Association in all cases when applicable.

**Section 2** – The President may appoint a Parliamentarian from the membership to rule on procedure.

## **ARTICLE XII – AMENDMENTS OF BYLAWS**

**Section 1** - These Bylaws may be amended by first presenting the proposed amendment(s) to the Executive Board. The proposed amendment(s) must be approved by a two-thirds majority of the Executive Board before it can be forwarded to the General Membership. Having received the approval of the Executive Board, the proposed amendment(s) may then be approved by two-thirds vote of the members present and voting at a General Membership meeting provided due notice of the proposed amendment(s) has been given. For purposes of this section, due notice shall be defined as notification via e-mail, website, phone call, or written letter at least ten(10) days prior to the meeting at which the proposed amendment(s) is to be voted upon.

**Section 2** - A committee may be appointed by a 2/3 vote of the Executive Board to submit a revised set of bylaws as a substitute for the existing bylaws. The process for adoption of a revised set of bylaws shall be the same as in the case of an amendment.

## **ARTICLE XIII – DISSOLUTION**

**Section 1** - Upon dissolution, all the assets of the Association shall be liquidated and funds held and expended by the Frisco Independent School District in accordance with the purpose of the organization until all such funds shall be entirely expended.

**Section 2** - If the Frisco Independent School District is not in existence or is unwilling to accept the assets of the organization, upon dissolution of the organization, the Association assets shall be distributed for one or more exempt purposes within the meaning of Section 501(c)(3) of the Internal Revenue Code, or corresponding section of any future federal 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 so disposed of shall be disposed of by the State District Court 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 exclusively for such purposes.

## **ANNEX I**

FHS Band Booster By-Laws reviewed, amended, and approved on May 12, 2016.

FHS Band Booster By-Laws reviewed and affirmed on August 8, 2017.

FHS Band Booster By-Laws reviewed and affirmed on July 24, 2018.