



Banquete ISD

Bulldogs Band Booster Club

By-Laws

**BYLAWS OF THE
BANQUETE BULLDOGS BAND BOOSTER CLUB, INC.
A NON-PROFIT CORPORATION
(Current as of 2023-2024 School Year)**

**ARTICLE I
ORGANIZATION**

Name

1.01 The official name of the corporation shall be Banquete Bulldogs Band Booster Club, referred to herein as “the Club.” The principle office of the Club in the State of Texas shall be located in the City of Banquete, County of Nueces.

Affiliation

1.02 The Club is affiliated with Banquete Independent School District, referred to herein as “the District,” whose principal address is 5519 Highway 44, Banquete, Texas 78339.

Non-Profit Status

1.03 The Club was formed exclusively for charitable and educational purposes, including for such purposes, the making of distributions to organizations that qualify as exempt organizations under Section 501(3) of the Internal Revenue Code of 1954 (or any of the corresponding provisions of any future United States Internal Revenue Laws).

1.04 No part of the funds received or earned by the Club shall inure to the benefit of any Member, Associate Member, Ex Officio Member, or any other individual. The Club may reimburse individuals for reasonable Club-related expenses in accordance with Club policy and procedure. Notwithstanding any other provision in these articles, the Club shall not carry on any other activities not permitted to be carried on by a corporation exempt from federal income tax under Sections 501(c)(3) or 170(2) of the Internal Revenue Code of 1954 (or any of the corresponding provisions of any future United States Internal Revenue Laws).

Purpose

1.05 No purpose described herein shall be interpreted in any manner (1) to direct the daily instruction or activities of the Banquete High School Band or Banquete Junior High School Band, (2) to compensate any staff member connected with Banquete High School Band or Banquete Junior High School for work that is within the scope of their contract duties, or (3) to mandate how funds donated to the Banquete High School Band, the Banquete Junior High School Band, or the District will be used.

1.06 Pursuant to District Board Policy GE(LOCAL), the Club shall organize, fundraise or solicit donations, and function in a way that is consistent with the District’s philosophy and objectives, policies of the Board of Trustees (“Board”), District administrative regulations, applicable University Interscholastic League (“UIL”) or other governing association guidelines, and financial

regulations.

1.07 Pursuant to UIL Booster Club Guidelines, the Club shall seek to help enrich the school's participation in band activities. The Club shall comply with all rules of the UIL as set forth in the UIL Booster Club Guidelines.

1.08 The Club shall seek to promote and provide financial contributions, though fundraising and solicitation, to the Banquete High School and Banquete Junior High School band programs.

1.09 The Club will encourage members to chaperone students at band program events and activities when the Band Director requests such assistance.

ARTICLE II MEMBERSHIP

Non-Discrimination

2.01 The Club shall not discriminate against any individual seeking membership on account of race, ethnicity, national origin, gender, sexual orientation, or religion.

Classes of Members

2.02 Member. The class of Member shall consist of parent(s), guardian(s), person(s) having lawful control of a student under a court order, and person(s) standing in parental relation to a student; and whose student is currently enrolled in Banquete ISD and is participating in the Banquete High School Band or Banquete Junior High School Band. Members shall support, by contribution of time, talent, and/or finances, the purpose of the Club.

2.03 Associate Member. The class of Associate Member shall consist of any individual who does not meet the criteria of a Member as defined herein but who otherwise desires to promote the purpose of the Club as stated herein. Associate members shall have no voting privileges on business matters before the Club; however, Associate Members shall be afforded all other rights and privileges of membership in the Club. Associate Members shall support, by contribution of time, talent, and/or finances, the purpose of the Club.

2.04 Ex Officio Member. The Director(s) and other instructor(s) of the District's band program(s) shall be permitted admission as an Ex Officio (non-voting) Member. Ex Officio Members shall not be required to pay dues.

2.05 Good Standing. Members in Good Standing and Associate Members in Good Standing are those Members and Associate Members who (1) are current on annual dues and (2) represent the Club with courtesy and respect at Club activities and school related events.

Criminal History Background Check

2.06 Mandatory Background Check. Pursuant to Texas Education Code § 22.0835(a), the Club shall obtain from any other law enforcement or criminal justice agency or a private entity that is a

consumer reporting agency governed by the Fair Credit Reporting Act (15 U.S.C. Section 1681 et seq.), all criminal history record information that relates to a Member or Associate Member who has indicated, in writing, an intention to serve as a volunteer with the Club. Pursuant to Texas Education Code § 22.0835(c), the prospective volunteer Member and/or Associate Member must provide the District a driver's license or another form of identification containing the person's photograph issued by an entity of the United States government. Pursuant to Texas Education Code § 22.0835(d), the prospective volunteer Member and/or Associate Member may not perform any volunteer duties until these requirements have been satisfied.

2.07 Permissive Background Check. Pursuant to Texas Education Code § 22.0835(e) – (f), the Club may, but is not required to, obtain all criminal history record information that relates to a Member and/or Associate Member who volunteers or is applying to volunteer if the person: (a) as the parent, guardian, or grandparent of a child who is enrolled in the District; (b) will be accompanied by a District employee while on a school campus; or is volunteering for a single event on the school campus.

2.08 Volunteer Defined. As used herein, “volunteer” includes, but is not limited to, the following activities: chaperone, concession volunteer, equipment truck driver, and/or any other activity that involves close contact with student(s) as determined by the Superintendent of Schools, the Band Director, or their respective designee.

Election of Membership

2.09 Individuals who meet the criteria for a Member as defined herein shall be admitted to the Club upon request and payment of dues as described in § 2.18.

2.10 Associate Members shall be approved by a majority vote of the Executive Board and subject to the payment of dues as described in § 2.18.

2.11 The Club shall actively seek to enroll Members and Associate Members at the commencement of each school year. The Club may admit Members and Associate Members at any time.

Voting Rights

2.12 Each Member in good standing shall be entitled to one vote on each matter submitted to a vote of the Members. Two votes per student household are permitted.

Termination of Membership

2.13 Mandatory Termination. A Member's membership shall automatically terminate upon (1) graduation or withdrawal of their student from the District or (2) withdrawal from the band program.

2.14 Discretionary Termination. A Member's or Associate Member's membership may be terminated by a 2/3 vote of the Executive Board for good cause as determined solely by the Executive Board. As used herein, the term “good cause” shall mean an act or omission of a Member or Associate Member that is detrimental to the purpose of the Club or to students participating in the band program.

Resignation

2.15 Any Member or Associate Member may resign their membership at any time by filing a written resignation with the Secretary.

Reinstatement

2.16 Upon written request by a former Member or former Associate Member and filed with the Secretary, the Executive Board may, by the affirmative vote of two-thirds of the members of the Board, reinstate such former Member or former Associate Member to membership.

Transfer of Membership

2.17 Membership in this corporation is not transferable or assignable.

Dues

2.18 Annual membership dues in the amount of \$25.00 will be for the school year commencing in September and ending in August of the following year.

ARTICLE III MEETINGS OF MEMBERSHIP

Annual Meeting

3.01 An annual meeting of the Members shall be held during the month of May in each year, at the hour of 7:00pm, for the purpose of electing Officers and for the transaction of other business as may come before the meeting. If the election of Officers shall not be held on the day designated for any annual meeting, or at any adjournment thereof, the Executive Board shall cause the election to be held at a special meeting of the Members as soon thereafter as possible.

Time and Place of Meetings

3.02 The Club shall hold meetings at ____ p.m. on the first Monday of each month during the school year at the Banquete High School Band Hall unless otherwise communicated by the Executive Board to the membership.

3.03 The Executive Board may call emergency, special, and/or additional regular meetings as necessary if such meeting(s) are in the best interest of the Club. Notice of such meeting(s) shall be communicated to the membership not later than 48 hours prior to the scheduled meeting unless emergency circumstances, as determined by the Executive Board, deem such notice as impracticable.

3.04 All meetings shall be open to the public.

Quorum

3.05 A quorum of the Executive Board for the conduct of business shall consist of three Officers in attendance.

Minutes & Reports

3.06 Minutes shall be taken at each meeting and shall be kept in the records of the Club for not less than three school years.

3.07 A monthly financial report of the Club and the previous meeting's minutes shall be made available to all Members and Associate Members at each meeting except for emergency meetings and special meetings.

Remote Participation

3.08 Officers of the Executive Board may participate in a meeting via telephone, video conference (such as Google Meets or Zoom), or other virtual means.

ARTICLE IV EXECUTIVE BOARD

Membership

4.01 The Executive Board shall consist of the elected officers of the organization.

Authority

4.02 The affairs, activities and operation of the organization shall be managed by the Executive Board. The Executive Board shall transact necessary business during the intervals between the meetings of the membership and such other business as may be referred to it by the membership or these bylaws. It may create Standing and Special Committees, approve the plans and work of standing and special committees, prepare and submit a budget to the membership for approval, and, in general, conduct the business and activities of the organization.

Reimbursement

4.03 Executive Board members shall serve without compensation with the exception that expenses incurred in the furtherance of the organization's business are allowed to be reimbursed with documentation in accordance with the organization's financial policies, and prior approval.

ARTICLE V OFFICERS & THEIR ELECTIONS

Officers

5.01 The officers of this organization shall include one President, one Vice President, a Secretary

and a Treasurer and such additional officer(s) as may be elected or appointed by the Executive Board from time to time.

Election, Term, Vacancies, and Removal

5.02 A nominating committee composed of the current President and at least one additional officer shall begin seeking nominees in May of the year in which the candidates will be elected and develop a slate of candidates. The candidates shall be announced to the membership as soon as possible. Additional nominees may be solicited from the floor on the day of the election. Only those who have consented to serve shall be eligible for nomination, either by the committee or from the floor.

5.03 Officers shall be elected at the May meeting of the organization by the members present. Officers shall assume their official duties on the last day of the current school year following their election.

5.04 Officers shall serve a one-year term. Officers may be elected for up to two consecutive terms in the same office or may be appointed to another term by the Executive Board if no one comes forth to serve.

5.05 A vacancy occurring in any office shall be filled for the unexpired term by a person elected by a majority vote of the remaining members of the Executive Board.

5.06 Any officer elected or appointed by the Executive Board may be removed by a three-fourths (3/4) majority vote of the Executive Board whenever in its judgment the best interests of the Club would be served thereby.

5.07 A vacancy in any office because of death, resignation, disqualification or otherwise, may be filled by the Board of Directors for the unexpired portion of the term.

ARTICLE VI DUTIES OF OFFICERS

President

6.01 The President shall:

- a. Preside over all meetings of the organization and shall have authority to appoint special committees designed to carry out the work of the Band Boosters.
- b. Serve as intermediary and liaison between the Club and the Band Director.
- c. Chair the Executive, Financial and Fund-Raising Committees.
- d. Monitor the activities of all committees and shall receive reports from all Club committees.
- e. In conjunction with the Treasurer, monitor the collection of Club funds. Fund

collections include, but are not limited to fundraisers, concessions, auctions and uniform cleaning fees. When cash is collected, the President and Treasurer will count funds and sign receipt of said funds. If the President is not available for any reason, the Vice-President, another member of the Executive Officers, Class Representative, or appointed Band Booster member shall act in this capacity.

- f. Prior to disbursement of any fund amount, the President must initial invoice and submit to the Treasurer for accounts payable. If the President is not available for any reason, the Vice-President, another member of the Executive Officers, Class Representative, or appointed Band Booster member shall act in this capacity. Funds disbursements totaling between \$250 and \$499, per project, require documentation from prior Club meeting where item was discussed and approved. All Executive Board members must be advised if unable to attend said meeting. Funds Disbursements totaling \$500 and over, per project, require documentation from prior Club meeting where the item was discussed and approved.

Vice President

6.02 The Vice President shall:

- a. Perform the duties of the President in the absence of the President or in the President's inability to perform the outlines duties of that office.
- b. Co-Chair the Fund-Raising Committee.
- c. Assist in coordination of the Executive, Financial, and Fund-Raising Committees as needed.
- d. Shall be responsible for the operations of in town football games, and volunteers, including, but not limited to: selling of band items, for band, helping recruit sponsors and volunteers.
- e. When funds are collected, assist the Treasurer in the count, receipt and documentation of cash transactions. If the Vice-President is not available for any reason, another member of the Executive Board or Club Member shall act in this capacity.

Secretary

6.03 The Secretary shall:

- a. Serve as the correspondence and communications officer of the Club.
- b. Recruit volunteers for Monday night sandwiches during practice, volunteers for the UIL week, and organize water distribution for all in town and out of town games.
- c. Keep accurate records of all business of the organization.
- d. Prepare a record of minutes of each meeting and shall distribute minutes to the Club

Members, Associate Members, and Band Director.

- e. Work closely with the President to prepare the agendas for each meeting of the Club.
- f. Be responsible for public communications, under the direction of the Executive Officers and Band Director by United States Postal Service, electronic mail, telephone and/or social media. Coordinate communications to ensure all students and parents or legal guardians are aware of upcoming scheduled events and activities. The Communications Committee should consist of the Secretary and Members and/or Associate Members of the general membership.

Treasurer

6.04 The Treasurer shall:

- a. Serve as the Financial Officer of the Club.
- b. Organize activities for out of town football games and assist the secretary with recruiting volunteers for the UIL week.
- c. Prepare the Financial Management Plan to be reviewed, annually, and adopted by the Executive Board. Once approved, the Treasurer will present to the Club at the first meeting of the year.
- d. Maintain accurate financial records.
- e. Present a financial report to the Club membership at each monthly meeting.
- f. Monitor and count funds collected through fund raisers.
- g. Pay all invoices as directed by the President in accordance with Club by-laws. If the President is not available for any reason to approve disbursement of funds, the Vice-President, another member of the Executive Board, or appointed Member shall act in this capacity.
- h. Schedule yearly audit to be completed during the month of June. If the Treasurer must resign their position during the school year, an audit must be performed before the newly elected/appointed Treasurer takes office.
- i. Ensure smooth transfer of financial records to the incoming Treasurer no later than July 1.

ARTICLE VII FINANCES

Budget

7.01 The Executive Board shall present to the membership at the first regular meeting of the membership after the officers have been elected, or as soon thereafter as practicable, a budget of anticipated revenue and expenses for the year. This budget shall be used to guide the activities of the Club during the year, including serving as approval for anticipated expenditures. Any substantial deviation from the budget must be approved in advance by the membership.

Contracts

7.02 The Executive Board may authorize any officer or officers to enter into contracts or agreements for the purchase of materials or services on behalf of the organization.

Loans

7.03 No loans shall be made by the organization to its officers or members.

Checks

7.04 All checks, drafts, or other orders for the payment of money on behalf of the organization shall be signed by the Treasurer or by any other person as authorized in writing by the Executive Board, except that checks of \$250 or more must have the signature of at least two officers, such as the Treasurer and the President. Checks shall bear notice of this requirement above the signature line as follows, "Two signatures required for checks in the amount of \$250 or more."

Banking

7.05 The Treasurer shall ensure that all funds of the organization are timely deposited to the credit of the organization in such banks or other depositories as determined by the Executive Board. All deposits and disbursements shall be documented by a receipt, an invoice, or other written documentation. Sequentially numbered receipts shall be provided, with a copy kept, whenever cash is turned over or collected. All deposits and/or disbursements shall be made as soon as practicable upon receipt of the funds, normally daily, immediately after received and counted.

Financial Controls

7.06 The organization shall adopt appropriate financial controls to ensure the integrity of its funds. Specifically, without limitation, the organization shall maintain separation of financial controls so that, minimally:

- a. All expenses must be approved by the membership by way of approval of an annual budget, or amendments thereto, or be approved by separate resolution of the Executive Board.
- b. Checks exceeding \$250 must be endorsed by at least two officers authorized by resolution of the Executive Board and checks of the corporation shall include above the signature line a notice to this requirement.
- c. An officer or other person without check signing authority designated by the Executive Board shall review and reconcile all bank statements on a monthly basis.

Financial Report

7.07 The Treasurer shall present a financial report at each membership meeting of the organization and prepare a final report at the close of the year in accordance with the organization's financial policies. The Executive Board shall have the report and the accounts examined annually.

Fiscal Year

7.08 The fiscal year of the organization shall be from June 1 to May 31 but may be changed by resolution of the Executive Board.

Financial Record Retention

7.09 All records of the organization shall be maintained and destroyed in accordance with law, and standard record retention guidelines. Financial records shall be maintained as follows:

RECORD	HOW TO STORE	PERIOD OF TIME
Year-end Treasurer's financial report/statement, annual Internal Financial Review Reports, IRS Form 990s	Store in corporate record book, binder, or cloud-based software.	At least seven (7) years Consider keeping permanently.
Bank statements, canceled checks, check registers, invoices, receipts, cash tally sheets, investment statements, and related documents	Compile & file records on a yearly basis. Store in binder or cloud-based software.	Seven (7) Years Store w/financial records. Destroy after seven years.
Treasurer's reports (monthly)	Compile & file records on yearly basis. Store in binder or cloud-based software.	Three (3) Years Store w/ financial records. Destroy after three years.

ARTICLE VIII CONFLICTS OF INTEREST

Nonparticipation

8.01 Officers and Members should refrain from any actions or activities that impair, or appear to impair, their objectivity in the performance of their duties on behalf of the Club. A conflict of interest may exist when the direct, personal, financial or other interest(s) of any Officer or Member competes or appears to compete with the interests of the Club. If any such conflict of interest arises, the interested person shall call it to the attention of the Executive Board for resolution. If the conflict relates to a matter requiring Board action, such person shall not vote on the matter. When there is a doubt as to whether any conflict of interest exists, the matter shall be resolved by a majority vote of the Executive Board, excluding the person who is the subject of the possible conflict.

Minutes

8.02 The minutes of the meeting of the Board shall reflect that the conflict was disclosed and the interested person was not present during the final discussion or vote and did not vote on the matter.

Annual Review

8.03 A copy of this conflict-of-interest statement shall be furnished to each Officer, Member, and Associate Member who is presently serving the Club, or who hereafter becomes associated with the Club. This policy shall be reviewed annually for information and guidance of Officer, Members, and Associate Members. New officers shall be advised of the policy upon undertaking the duties of their offices.

ARTICLE IX AMENDMENTS

9.01 These Bylaws may be amended at any regular or special meeting of the membership by a majority vote of the members present, provided that at least thirty (30) days' notice of the proposed amendments has been made to the membership, or alternatively the membership waives the required notice.