**Band Booster By-Laws Re-Write**

**By: David Rogers Jr.**

**BYLAWS OF THE**

**SPRINGLAKE-EARTH HS BAND PROGRAM**

**A NON-PROFIT ORGANIZATION**

**Article 1**

**LOCATION**

* 1. The principle office of the club in the state of Texas shall be located in the City of Earth, County of Lamb. The club may have such other offices, either within or without the State of Texas, as the Board of Directors may determine or as the affairs of the corporation may require from time to time.

**Article 2**

**MEMBERS**

2.01 The corporation shall have one class of members, whether individual or family and each individual of a family member shall have only one vote. (1 vote allowed per family in program). The club may also have Associate Members and Business Associate Members as directed by the Board of Directors, and such associate members shall have no voting privileges on business matters before the club, however they hsall be afforded all other rights and privileges of membership in the club.

2.02 Membership is for parents and/or guardians and band directors of students currently enrolled in the band programs at Springlake-Earth High school or its feeders’ schools, both Junior High and Elementary.

2.03 Each member in good standing shall be entitled to one vote on each matter submitted to a vote of the members.

2.04 Any member that has a student in the band program in the 5th grade through the 12th grade may run for an officer position.

2.05 Any member may resign by filing a written resignation with the Secretary and Band Director.

2.06 Upon written request signed by a former member and filed with the Secretary, the Board of Directors may, by the affirmative vote of two-thirds of the members of the Board, reinstatement of such former member to membership on such terms as the Board of Directors may deem appropriate.

2.07 If there is a student with a parent and guardian that is not able to help the student in the booster organization, they may apply in writing to the board of directors a letter stating that they would like to be considered for sponsorship of said student. Board must approve sponsorship.

2.08 Membership in this corporation is not transferable or assignable.

**Article 3**

**MEETINGS OF MEMBERS**

3.01 An annual meeting of the members shall be held during the month of May in each year, beginning with the year 2017, for the purpose of electing Directors and for the transaction of other business as may come before the meeting. If the election of Directors shall not be held on the day designated for any annual meeting, or at any adjournment thereof, the Board of Directors shall cause the election to be held at a special meeting of the members as soon thereafter as possible.

3.02 Special meetings may be called by the president, the Board of Directors or not less than one-tenth of their members having voting rights.

3.03 The Board of Directors may designate any place, either within or without the State of Texas, as the place of meeting for any annual meeting or for any special meeting called by the Board of Directors. If no designation is made or if a special meeting be otherwise called, the place of meeting shall be the registered office of the club in the State of Texas; but if all of the members shall meet at any time and place, either within or without the State of Texas and consent to the holding of a meeting, such meeting shall be valid without call or notice and at such meeting any corporate action may be taken.

3.04 Written, printed, or verbal notice stating the place, day and hour of any meeting of members shall be delivered, either personally or by mail, to each member entitled to vote at such meeting, no less than ten days before the date of such meeting, by or at the direction of the President, or the Secretary or the officers or persons calling the meeting. In case of a special meeting or when required by statute or these bylaws, the purpose for which the meeting is called stall be stated in the notice. If mailed, the notice of the meeting shall be deemed to be delivered when deposited in the United States mail addressed to the member at his/hers address as it appears on the records of the Club, with postage thereon prepaid.

3.05 Any action required by law to be taken at a meeting of the members or any action which may be taken at a meeting of the members may be taken without a meeting, if a consent in writing, setting forth the action so taken, shall be signed by all of the members entitled to vote with respect to the subject matter thereof.

3.06 The members present shall constitute a quorum for the transaction of business in any regular meeting.

3.07 At any meeting of members, a member entitled to vote may vote by proxy executed in writing by the member or by his/hers/ duly authorized attorney-in-fact. No proxy shall be valid after eleven months from the date of its execution, unless provided in the proxy.

3.08 Where directors or officers are to be elected by members or any class or classes of members such election may be conducted by mail in such manner as the Board of Directors shall determine.

3.09 An operating budget identifying fundraising projects and purposes for which the funds are being raised will be prepared by the Board of Directors and presented to the membership for approval in September of each year.

**Article 4**

**BOARD OF DIRECTORS**

4.01 The affairs of the corporation shall be managed by its Board of Directors.

4.02 The elected booster officers and band directors will serve as the Board of Directors.

4.03 The number of Directors shall be not less than three and may be any number greater as deemed necessary to conduct the business of the Club by the current Board of Directors. Each director shall hold office until the next annual meeting of members and until his/hers/ successor shall have been elected and qualified. Terms of office corresponds with fiscal year. Directors need not be residents of Texas.

4.04 The Board of Directors may provide by resolution the time and place, either within or without the State of Texas, for the holding of additional regular meetings of the Board without other notice than such resolution.

4.05 Special meetings of the Board of Directors may be called by or at the request of the President or any two Directors. The person or person authorized to call special meetings of the board may fix any place, either within or without the State of Texas, as the place for holding any special meetings of the Board called by them.

4.06 Notice of any special meeting of the Board of Directors, over one specific item, shall be given at least one day previously thereto by written notice delivered personally to each director at their address as shown by the records of the club, by telephone to the number of record or in person by the Secretary or other Board member. The attendance of a Director at any meeting shall constitute a waiver of notice of such meeting, except where a Director attends a meeting for the express purpose of objecting to the transaction of any business because the meeting is not lawfully called or concerned. Neither the business to be transacted at, nor the purpose of, any regular or special meeting of the Board need be specified in the notice or waiver of notice of such meeting, unless specifically required.

4.07 A majority of the Board of Directors shall constitute a quorum for the transaction of business at any meeting of the Board, but if less than a majority, the Directors present by adjourn the meeting from time to time without further notice.

4.08 The act of a majority of the Directors present at a meeting at which a quorum is present shall be the act of the Board of Directors, unless the act of a greater number is required by law or by these Bylaws.

4.09 Any vacancy occurring in the Board of Directors and any directorship to be filled by reason of an increase in the number of Directors, shall be filled by the Board of Directors. A Director elected to fill a vacancy shall be elected for the unexpired term of his predecessor in office.

4.10 Directors as such shall not receive any stated salaries for their services.

4.11 Any action required by law to be taken at a meeting of Directors, or any action, which may be taken at a meeting of Directors, may be taken without a meeting if consent in writing setting forth the action so taken shall be signed by all the Directors.

**Article 5**

**OFFICERS**

5.01 The elected officers (President, Vice President, Secretary, Treasurer, Student Accounts Coordinator, and Concessions Coordinator)+(Band Directors) are the defining Board of Directors.

5.02 The maximum tenure for officers including President, Vice President, Treasurer, Secretary, Student Accounts Coordinator, and Concession Coordinator shall be two years, but may run for re-election for same or different office held in the annual meeting.

5.03 Any officer elected or appointed by the Board of Directors may be removed by the Board of Directors whenever in its judgement the best interests of the club would be served thereby, but such removal shall be without prejudice to the contract rights, if any, of the officer removed.

5.04 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.

5.05 Officers cannot hold more than one position total, unless there are not enough volunteers to fill all positions. Any vacancy should be filled promptly, with the president and vice president both temporarily fulfill the duties of the vacant office.

5.06 PRESIDENT DUTIES: The president shall be the principal executive officer of the corporation and shall in general supervise and control all of the business and affairs of the corporation. He/she shall preside at all meetings of the members and of the Board of Directors. He may sign, with the Secretary and any other proper officer of the corporation authorized by the Board of Directors, any deeds, mortgages, bonds, contracts or other instruments which the Board of directors have authorized to be executed, except in cases where the signing and execution thereof shall be expressly delegated by the Board of Directors or by these Bylaws or by statue to some other officer or agent of the corporation; and, in general, he/she shall perform all duties incident to the office of President and such other duties as may be prescribed by the Board of Directors, and Band Directors from time to time.

5.07 VICE-PRESIDENT DUTIES: In the absence of the President or in the event of his/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 restriction upon the President. Any Vice President shall perform such other duties as from time to time may be assigned to him by the President or Board of Directors or Band Directors.

5.08 TREASURER DUTIES: If required by the Board of Directors, the Treasurer shall give a bond for the faithful discharge of his/her duties in such sum and with such surety or sureties as the Board of Directors shall determine. He/she shall have charge and custody of and be responsible for all funds and securities of the club; receive and give receipts for moneys due and payable to the club from any source whatsoever, and deposit all such moneys due and payable to the club from any source whatsoever, and deposit all such moneys in the name of the club in such bands, trust companies, or other depositories as shall be selected in accordance with the provision of Article 7 of these bylaws and in general perform tall 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 him by the President of by the Board of Directors.

5.09 SECRETARY DUTIES: The Secretary shall keep the minutes of the meetings of the members and the Board of Directors in one or more books provided for that purpose; give all notices in accordance with the provisions of these bylaws or as required by law; be custodian of the corporate records and of the seal of the corporation, and affix the seal of the club to all documents, the execution of which on behalf of the club under its seal is duly authorized in accordance with the provisions of the bylaws: keep a register of the post-office address of each member as furnished to the Secretary by the Springlake-Earth Independent School District; and, in general, perform all duties incident to the office of Secretary and such other duties as from time to time bay be assigned to him by the President of by the Board of Directors.

5.10 STUDENT ACCOUNTS COORDINATOR: The Student Accounts Coordinator shall keep a record of the points earned by all members and shall have those records available at all meetings. The Student Accounts Coordinator shall maintain an account balance for each student and maintain checkbook for points and fundraising activities. The Student Accounts Coordinator will work closely with the Treasurer to maintain an accurate overall student accounts balance.

5.11 CONCESSIONS COORDINATORS (2): The Concessions Coordinators (2) shall recruit volunteers from within the band booster club to support the concession stands, general fundraising efforts and contest activities. The Concessions Coordinators (2) shall be responsible for all the activities that pertain to band concession stands at SEHS and SEJH. These activities include all those associated with managing the concession stand for all home football games, band competitions, and any other such band event as so directed by the band directors and/or his/her staff or the executive committee. Concessions shall also provide accurate records of all activities for student accounts and the treasurer. All volunteers must be over the age of 21 unless they are a current band student.

**Article 6**

**COMMITTEES**

6.01 The Board of Directors, by resolution adopted by a majority of the Directors in office, may designate and appoint one or more committees, each of which shall consist of two or more Directors, which committees, to the extent provided in said resolution shall have and exercise the authority of the Board of Directors in the management of the club. However, no such committee shall have the authority of the Board of Directors in reference to amending, altering or repealing the Bylaws; electing, appointing or removing any member of a such committee or any Director of officer of the corporation; amending the articles of incorporation; adopting a plan of merger or adopting a plan of consolidation with another corporation; authorizing the sale, lease, exchange or mortgage of all or substantially all of the property and assets of the corporation; authorizing the voluntary dissolution of the corporation or revoking proceedings therefore, adopting a plan for the distribution of the asses of the corporation; or amending, altering or repealing any resolution of the Board of Directors which by its terms provides that it shall not be amended, altered or repealed by such committee. The designation and appointment of any such committee and the delegation thereto of authority shall not operate to relieve the Board of Directors, or any individual Director, of any responsibility imposed on it or him by law.

6.02 OTHER COMMITTEES: Other committees not having and exercising the authority of the Board of Directors in the management of the corporation may be designated by a resolution adopted by a majority of the Directors 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 corporation and the President of the corporation shall appoint the members thereof. Any members thereof may be removed by the person or persons authorized to appoint such member whenever, in the judgment, the best interests of the corporation shall be served by such removal.

6.03 TERM OF OFFICE: Each member of a committee shall continue as such until their next annual meeting of the members of the corporation 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 thereof.

6.04 CHAIRMAN: The person or persons authorized to appoint the members thereof shall appoint one member of each committee chairman.

6.05 VACANCIES: 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.

6.06 QUORUM: Unless otherwise provided in the resolution of the Board of Directors 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.

6.07 RULES: Each committee may adopt rules for its own government not inconsistent with these bylaws or with rules adopted by the Board of Directors.

**Article 7**

**CONTRACTS, CHECKS, DEPOSITS, AND FUNDS**

7.01 The Board of Directors may authorize any officer or officers, agent of agents of the corporation; in addition to the 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 corporation. Such authority may be general or confined to specific instances.

7.02 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 corporation shall be signed by such officer or officers, agent or agents of the corporation and in such manner is shall from time to time be determined by resolution of the Board of Directors or these Bylaws. In the absence of such determination by the Board of Directors, such instruments shall be signed by the Treasurer or an Assistant Treasurer.

7.03 DEPOSITS: All funds of the corporation shall be deposited from time to time to the credit of the corporation in such banks, trust companies or other depositories as the Board of Directors may select.

7.04 RECORDS: Each and every transaction needs to be placed in our own account activity spreadsheet.

7.04 GIFTS: The Board of Directors may accept on behalf of the corporation any contribution, gift, bequest or devise for the general purposes or for any special purpose of the corporation.

**Article 8**

**CERTIFICATE OF MEMBERSHIP**

8.01 The Board of Directors may provide for the issuance of certificates evidencing membership in the corporation, which shall be signed by the President or a Vice President, Secretary, or an Assistant Secretary, and shall be sealed with the seal of the corporation. All certificates evidencing membership of any class shall be consecutively numbered. The name and address of each member and the date of issuance of the certificate shall be entered on the records of the corporation. If any certificate shall become last, mutilated or destroyed, a new certificate may be issued therefore on such terms and conditions as the Board of Directors may determine.

**Article 9**

**BOOKS AND RECORDS**

9.01 The corporation shall keep correct and complete books and records of account and shall also keep minutes of the proceedings of its members, Board of Directors and committees having any of the authority of the Board of Directors 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 principle office.

9.02 An annual audit of the organization’s financial records will be conducted prior to the end of each fiscal year by an audit committee comprised of three (3) appointed members who do NOT have authority to sign checks.

**Article 10**

**FISCAL YEAR**

10.01 The fiscal year of the corporation shall begin on the first day of June and end on the last day of May in each year.

**Article 11**

**SEAL**

11.01 The Board of Directors shall provide a corporate seal, which shall be in the form of a circle and shall have inscribed whereon the Springlake-Earth Band Boosters and the words “Corporate Seal of Springlake-Earth Band Boosters, Inc.”

**Article 12**

**WAIVER OF NOTICE**

12.01 Whenever any notice is required to be given under the provision on the Texas Non-Profit Corporation Act or under the provisions of the of the articles of incorporation or the Bylaws of the corporation, 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 of the giving of such notice.

**Article 13**

**SE BAND POINT SYSTEM GUIDELINES**

13.01 This new point system will be used to determine how much financial aid that can be provided to students to help pay for band expenses. Band expenses includes band fees and dues, band trips, private music lessons, summer music camps, and other items approved by the executive board.

13.02 Points will be awarded for help in the areas listed on the document titled, “Point Assignments”.

13.03 Numbers of points awarded for each event are determined before the event.

13.04 Only one adult parent or guardian of the band student is allowed to work at any given event (for example: no siblings or friends of the student). Adults should be members of the SE Band Boosters to earn points.

13.05 The value of each point will be determined upon completion of all fundraisers and after all points have been turned in.

13.06 (5th, 6th, & 7th Grade is determined as Junior High Grades) (8th – 12th Grade is determined as High School Grades)

13.07 Leftover points, upon graduation, will be used at the discretion of the executive committee unless points are transferred to a sibling.

13.08 Points will be kept and logged by the Student Accounts Coordinator. It is strongly advised that each person also keep a log of points for backup. No points will be taken from word of mouth. This is to protect everyone. Make sure the chairperson in charge of the event asks you to sign for the event in which you are participating. This is your responsibility, not the chairperson’s.

13.09 Every student will start the year with zero points in their account. If you participate in fundraising activities, an account is automatically set up and the profits will go into this account held by the SE Band Boosters in your student’s name. Points will be posted by the monthly board meeting, but funds from points earned in present school year will be available after May 15. You can find out the balance in this account by contacting the Student Accounts Coordinator. Points must be submitted to the Student Accounts Coordinator within 30 days of completion of an activity.

13.10 Funds may be used for costs that benefit the musical development of your student. Funds may be used for paying annual band expenses including your band shoes, t-shirt or shorts, cost of band trips, private music lessons, summer music camps, and other items approved by the executive board.

13.11 Everyone in the Springlake-Earth band is eligible for a student account. This account is available as long as your child remains involved in the SE Band program. Funds recorded in these accounts are not the property of individual students and may not be refunded. All monies credited to a student until that student but not used shall be carried over in the name of that student until that student graduates unless they drop from the program or move out of SEISD. Dropping from the program means not enrolling at least one semester per year. In that event, funds will be held in their name until the end of same school year so that all receipts may be reconciled. At that time, such monies shall revert to the general operating fund of the SE Band Booster, unless there is a younger sibling enrolled in the band program. The said monies will be credited to him or her in an equitable manner. Parent or Guardian must request this transfer of funds in writing to the SAC before the school year ends.

13.12 Concession Stands:

Purchasing/Pick up 5 pts per trip

Working 1 pt / hour

Stocking/Set Up 1 pt / hour

Cleaning 1 pt / hour

Logistics:

Hauling 2 pts per game.

13.13 Point worth will be determined by May 15 annually.

**Article 14**

**AMENDMENTS TO THESE BYLAWS**

14.01 These bylaws may be altered, amended or repealed an new Bylaws may be adopted by a majority of the Directors present at any regular meeting or at any special meeting, if at least two days’ written notice is given of an intention to alter, amend or repeal these Bylaws or to adopt new Bylaws at such meeting.

**Signatures of Acceptance of these Bylaws**

**Approved June 22nd at 6:30pm**

“We discussed, amended bylaws for the SE Band Boosters. Motion made by Kelly Furr to accept bylaws and amendments. Melissa Alvarez seconded. Bylaws and amendments passed by unanimous vote. Meeting adjourned at 8:01pm.”

Attendees:

David Rogers Jr., Lara Jones, Kelly Furr, Melissa Alvarez, Jennifer Samaron, Elisa Crum, Jennifer Acosta, and Carlena Rhymes.

President: \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_ Date: \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_

President: \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_

V President: \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_ Date: \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_

V President: \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_

Secretary: \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_ Date: \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_

Secretary: \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_

Treasurer: \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_ Date: \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_

Treasurer: \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_

SAC: \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_ Date: \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_

SAC: \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_

CC: \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_ Date: \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_

CC: \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_