

**FRANKLIN HIGH SCHOOL BAND BOOSTERS**  
**Bylaws**

**ARTICLE I: NAME**

The name of this organization is the Franklin High School Band Boosters, hereafter referred to as the “Band Boosters”.

**ARTICLE II: PURPOSE**

The purpose of the Band Boosters shall be to promote, support and assist in the betterment of the Franklin High School “Star of the West” Band.

**ARTICLE III: ORGANIZATION**

**Section 1.** The Band Boosters is a Texas private non-profit corporation and shall be non-commercial, non-sectarian and non-partisan. All efforts are voluntary. No member, officer, or any other person associated with the Band Boosters shall receive remuneration (cash, materials, or services) for time and effort, other than pre-approved expenses which may be reimbursed, and are expended on the Band Boosters' behalf.

**Section 2.** Membership of this Band Boosters shall be available to any person who subscribes to the objectives and policies of the organization stated herein.

**Section 3.** New members may join the Band Boosters at any time.

**ARTICLE IV: BASIC POLICIES**

**Section 1.** The Band Boosters shall:

- a. Promote the involvement of members in band oriented activities.
- b. Provide supplemental funds for needs of the band that are not budgeted or paid for by the school or school and El Paso Independent School District (“EPISD”) policy.
- c. Cooperate with the Franklin High School administrators and instructors to promote the band and the education of band students. The Band Boosters may take no action which conflicts with school and EPISD policy.
- d. Have no authority to direct a band director in any of his/her duties.
- e. Keep personal information such as Student's Name, Parent's Names, Address and Phone Numbers (Home or Mobile) and financial information private.
- f. This information will be used solely for the purpose of Franklin Band functions and will not be used or given to any outside agency. Any Band Boosters member requesting such information will be given information only with the approval of the Executive Committee. (Article VII, Section 2a establishes constitution of the Executive Committee)

**Section 2.** No individuals or member is authorized to obligate the Band Boosters in any manner, financially or otherwise, without the prior approval of the Executive Committee.

**Section 3.** The raising of funds will be through voluntary contributions, membership fees, and projects approved by the Executive Committee.

- Section 4.** All purchases of band instruments by the Band Boosters will be donated to the EPISD as directed by School Board policy.
- Section 5.** All new members shall have access to a copy of the most current bylaws and the Band Boosters budget.
- Section 6.** Fundraising:
- a. All fundraising projects that are developed and initiated by the Band Boosters' Executive Committee, and in which band students assist, will have a percentage or amount of the profits credited to the individual's account as determined by the Executive Committee.
  - b. No independent fundraising activities using Band Boosters or “Star of the West” logos will be permitted without express permission of the Executive Committee.
  - c. All fundraising activities will be disclosed to all members, EPISD and school administration.
- Section 7.** In the event of the dissolution of the Band Boosters, the remaining assets shall be placed in the Franklin High School Band Fund or its successor.
- Section 8.** A minimum of four (4) General Meetings will be held during the regular school year.
- a. Parent Orientation,
  - b. Booster Meetings for the General Assembly (Fall, Winter and end of school year).
  - c. The Executive Committee reserves the right to call for a General Assembly meeting at its discretion.

#### **ARTICLE V: MEMBERSHIP AND DUES**

- Section 1.** Active membership shall commence upon payment of membership fees, and will terminate at the end of each fiscal year.
- Section 2.** There shall be two types of memberships:
- a. “ACTIVE MEMBERS” are those individuals who pay the "Membership" fee. They may participate in all voting processes, hold elective office, and serve on committees.
  - b. “Ex-Officio MEMBERS” are those appointed individuals who are members by virtue of their office and position and do not pay dues. Ex-Officio Members may not participate in voting processes, but they may serve in an advisory capacity.
  - c. The Band Director and Assistant Band Director(s) shall automatically be Ex-Officio Members
- Section 3.** The Membership fee shall be determined annually by the Executive Committee with the approval of the active membership. The recommended amount will be voted upon at the May general meeting.
- Section 4.** Membership fees shall be payable at any general meeting of the Band Boosters.

#### **ARTICLE VI: VOTING**

- Section 1.** Only those MEMBERS whose Membership fee is paid will be allowed to vote in any meeting.

- a. The Secretary will keep an accurate list of all Members who have voting privileges. This list will be available for the presiding officer to refer to in meeting, if necessary.
- b. Each member upon payment of the Membership fee have up to one vote on any issue on which a vote is being taken.

## **ARTICLE VII: OFFICERS AND THEIR ELECTION**

**Section 1.** Only individuals who are Members will be eligible to hold office.

**Section 2.** The officers of this Band Boosters shall be a President, one (1) Vice President for Fundraising, one (1) Primary Treasurer, one (1) Assistant Treasurer and one (1) Secretary.

Section 2a. The elected officers in Section 2 shall constitute the Executive Committee of the Band Boosters.

**Section 3.** These officers shall be elected by ballot at the end-of-year Band Boosters meeting.

- a. Newly elected officers will assume office at the beginning of the fiscal year.
- b. No officer shall serve more than two (2) consecutive terms in the same office without the express consent of the Executive Committee.

**Section 4.** Vacancies:

- a. A vacancy occurring in any elected office or chairmanship shall be filled for the unexpired term by a person elected by a majority vote of the remaining member of the Board of Directors, notice of such an election having been given to the members.
- b. In case of a vacancy occurring in the office of President, the Vice President shall serve as President.
- c. Any officer who is absent for three (3) consecutive Board of Directors meetings, without notifying the president prior to the meetings, may be replaced. Such absence shall vacate the office and the vacancy may be filled as soon as possible by the Board of Directors.
- d. All officers and chairpeople shall deliver all official materials pertaining to Band Boosters' business to the newly elected President within thirty (30) days following the meeting at which the newly-elected President assumes his/her their duties.

**Section 5.** Officer Nomination and Election Process:

- a. Ex-Officio Members shall serve as the Nominating Committee.
- b. Only those Members who have have consented to serve, if elected, shall be nominated for, or elected to, such office.
- c. The Nominating Committee shall report all members who have consented to be nominated for each office to be filled, and report the names of the candidates one week prior to the end-of-year meeting.
- d. At the election meeting at the end of the year, additional nominations may be made from the floor.

## **ARTICLE VIII: DUTIES OF OFFICERS**

**Section 1.** President

- a. Shall chair at all regular, special and executive meetings of the Band Boosters.

- b. He/she shall appoint the chairperson of all committees.
- c. Will be the official Band Boosters spokesperson. He/she shall represent the Band Boosters in dealing with school officials.
- d. Will sign all contracts on behalf of the Band Boosters.
- e. Will serve as signatory on all bank accounts

**Section 2.** The Vice-President for Fundraising:

- a. This Vice-President shall plan, develop and oversee all fundraising events and activities for the Band Boosters and will work with a fundraising activity to carryout his/her duties.
- b. The Vice-President, along with any designated committee, shall provide the treasurer with an itemized statement of all expenses, income, profit or loss and financial institution deposits for each fundraising activity.
- c. In the event that both the President and Vice-President are unavailable, the Vice-President shall preside at Band Boosters meetings.
- d. He/she will perform any other necessary duties requested by the President, and Secretary:

**Section 3.** Primary Treasurer:

- a. He/she shall maintain custody of all operating funds and student accounts and maintain a separate restricted “reserve” account.
- b. Will be a primary signatory on all bank accounts, pursuant to payment or check expenditures controls and rules established by the Executive Board.
- c. Will collect and account for all dues, revenues and expel expenditures of the Band Boosters.
- d. Shall expend money via approved budget by check or debit. If, for whatever reason, the Treasurer is unable, the President or Assistant Treasurer may do so.
- e. The Treasurer will maintain a savings account and a checking account at a local financial institution.
- f. He/she will make deposits of all income in the proper accounts as designated in the budget.
- g. Will maintain the Band Booster Budget and all other financial records of the Band Boosters.
- h. Will ensure that all tax and financial and fiscal/tax filings required by federal and state laws are made in a timely manner.
- i. The books of the Primary Treasurer can be subject to inspection annually by an independent auditor or the President or a committee designated by the President.
- j. Must provide a written financial report at every Executive Board Meeting.
- k. Provide a tentative budget for the Executive Board to vote on at its first meeting.

**Section 4.** Assistant Treasurer:

- a. He/She shall assist the Primary Treasurer as needed.
- b. He/she shall act as signatory on all accounts.
- c. Step into the duties of the Primary Treasurer as necessary.

**Section 6.** Secretary

- a. Shall maintain records of all active members.
- b. He/she shall keep a current copy of the bylaws one hand for reference at meetings.
- c. Shall keep and disclose a written transcript of all Band Booster proceedings at regular, special and Executive Board meetings, which will be approved at subsequent meetings.
- d. He/she shall be responsible for writing all written correspondence for the Band Boosters.
- e. Shall be responsible for all administrative and legal filings required of the Band Boosters.
- f. He/she shall be responsible for filing and/or maintaining all Band Booster correspondence and documents in a safe place and taking them accessible as required by legal mandates, EPISD and/or should authorities.
- g. From time to time, he/she will perform other necessary duties when requested by the President.

## **ARTICLE IX: BOARD OF DIRECTORS**

- Section 1.** The Executive Committee and Ex-Officio Members constitute the Board of Directors of the Band Boosters.
- a. The Board of Directors shall meet regularly, at a time determined by them , to discuss the progress of the various committees, and other Band Boosters projects. Recommendations may be brought from time to time from the Board of Directors for action by the membership at general meetings.
  - b. Regular meetings will be held no fewer than three times per year on a schedule to be determined by the Executive Committee. The meetings will be in the Fall, Winter, and Spring. Any necessary change in the meeting time or place will be announced at the previous regularly scheduled meeting.
- Section 2.** Special meetings of the membership may be called by the Board of Directors if five (5) calendar days' notice is given to members.
- Section 3.** A quorum for the transaction of business in any general Band Boosters meeting shall be at least the lesser of twenty Members or ten percent (10%) of the membership physically present at the meeting..
- a. Quorum for the Executive Committee and its meetings constitutes a minimum of three (3) executive officers present.
  - b. No proxy votes will be allowed.
- Section 4.** A quorum for all standing and special committee meeting shall be the simple majority of the committee members.

## **ARTICLE XII: FISCAL YEAR**

- Section 1.** The fiscal year of the Band Boosters shall begin on June 1st and conclude on May 31st.
- Section 2.** The financial reports and related records shall be be subject to inspection by the President and his/her designee at any time during the fiscal year.
- Section 3.** The Board of Directors shall review all financial reports at the end of the fiscal year.

- a. The outgoing General Treasurer shall provide a final financial report which the Executive-Board shall reconsider prior to the first meeting of the new incoming Executive Board.

### **ARTICLE XIII: PARLIAMENTARY AUTHORITY**

- Section 1.** All questions of parliamentary law shall be governed these Bylaws. ROBERT'S RULES OF ORDER-NEWLY REVISED, Section 2, will act as a parliamentarian reference to fill voids not covered by these Bylaws.
- Section 2.** All parliamentarian issues will addressed by special committee.

### **ARTICLE XIV: AMENDMENTS**

- Section 1.** Amendments to the bylaws may be proposed at any regular meeting. The proposed amendments must be presented in writing to the presiding officer and presented to members.
- Section 1a.** Motion to Dispense reading of Bylaws to General Assembly:  
Reading of the proposed changes to the general assembly may be dispensed using electronic delivery of the proposed changes via email as an alternative for General Assembly review. No less than seven (7) calendar days prior to the meeting.
- Section 2.** These Bylaws may be amended at the next meeting of the organization by majority vote provided notice of the proposed amendments was given within a seven (7) calendar days notice.

### **ARTICLE XV: STANDING AND SPECIAL COMMITTEES**

- Section 1.** The President, with the approval of the Executive Committee, has the power to form and appoint such special committees as may be necessary to promote the objectives and carryon the work of the organization.
- Section 2.** The President shall be a member ex-officio of all committees except the nominating committee.
- Section 3.** The quorum of any committee shall be a simple majority of its members.
- Section 4.** Special committees are created and appointed for a singular purpose. Any special committee automatically ceases to exist when its purpose is completed and its final report is received.

### **AMENDMENT HISTORY**

#### **Adopted 2006, Amended 2009, 2011& 2012, 2014, 2015**

Original, adopted	, 2006.
Amendment #1, adopted	, 2009.
Amendment #2, adopted	, 2011.
Amendment #3, adopted	, 2012.
Amendment #4, adopted	, 2014.
Amendment #5, adopted	, 2015.
Amendment #6, adopted	, 2018.

### **CERTIFICATION OF BYLAWS, 6TH AMENDMENT**

I, the undersigned Secretary to the Board of Directors of **FRANKLIN HIGH SCHOOL BAND BOOSTERS**, the said Corporation, do hereby certify that the attached Minutes of the Board of Directors, evidences the approval and due adoption of the attached Sixth (6th) Amendment to the Bylaws of the corporation on \_\_\_\_\_, 2018, and that the attached Bylaws, on seven (7) pages, including this Certification, is a true and correct copy of the Sixth Amendment to the Corporation Bylaws, which is current as of the date of my signature, effective from and after \_\_\_\_\_, 2018.

\_\_\_\_\_  
**SECRETARY**

\_\_\_\_\_  
Date