



**Lake Ridge Eagles Band Boosters  
By-Laws and Constitution  
Lake Ridge High School  
101 North Day Miar Road  
Mansfield, Texas 76063**

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**Article I - Name**

- A. The booster organization shall be known as the Lake Ridge Eagles Band Boosters or LREBB and is referenced herein as the Organization.

**Article II - Principal Office**

- A. The principal office of the Organization shall be maintained at Lake Ridge High School (LRHS), located in Mansfield, Texas. The Organization's mailing address is:

**PMB #370  
900 North Walnut Creek Drive, Suite #100  
Mansfield Texas 76063**

**Article III - Purpose**

- A. The purpose of the Organization shall be to foster cooperation and involvement in the band program by maintaining clear and constant communication with parents, guardians, LRHS administration, schools within the Mansfield Independent School District (MISD) and the community at large. The organization will promote the entire band program of LRHS by assisting the Band Directors and school authorities in the development of an outstanding band program. The organization will work within the spirit of the LRHS Mission Statement to develop progressive integrity in the students of the band program. The LREBB is organized exclusively for charitable and educational purposes, as set forth in section 501(c)(3) of the Internal Revenue Code, or the corresponding section of any future Federal Tax Code. Furthermore, the activities must be consistent with the Guidelines and Procedures established by the MISD and the University Interscholastic League.

**Article IV - Membership**

- A. Membership shall be open to all parents, guardians, and persons interested in supporting the purpose of the Organization. Members shall agree to abide by the bylaws of the Organization.
1. Voting Members: parents or guardians of current band students from LRHS and its feeder schools. Voting Members in good standing, as defined in the Organization's standing rules, shall be entitled to one vote on each matter submitted to a vote of the members.
  2. Associate Members: this designation is open to all persons, not included in Article IV.A.1, with an interest in supporting the purpose of the Organization. Associate Members shall have no voting privileges on matters before the Organization.
  3. Honorary Members: these members shall consist of persons who have supplied fiscal contributions to the Organization. Honorary membership may be granted upon the recommendation of the elected Officers. Honorary Members shall have no voting privileges on any matter before the Organization.
  4. All Members of the Organization are expected to follow the same standards of conduct as MISD employees when chaperoning, sponsoring, or attending student activities, including rules in the LRHS campus handbook.
- B. By accepting membership into the Organization, Members agree to support the Director of Bands in carrying out his responsibilities and recognize the Organization is designed to support the LRHS Band and its directors.
- C. Any Member has the right to file a grievance regarding operations conducted by the Organization by making the complaint in writing and submitting it to the President. The President will attempt to settle the grievance among all parties involved. If the grievance cannot be settled, the elected Officers may appoint a grievance committee to make a recommendation on a final ruling.

## **Article V - Officers and Elections**

- A. The Officers of the Organization shall consist of the following elected positions:
  - 1. **President**
  - 2. **First Vice-President - Budget / Finance**
  - 3. **Second Vice-President - Volunteers / Committees**
  - 4. **Secretary**
  - 5. **Treasurer**
- B. The Officers shall be elected during the general meeting held each May and will assume duties on July 1 of the upcoming fiscal year.
  - 1. A simple majority vote is required for election.
  - 2. Votes must be cast by a Voting Member present at the meeting; no proxy votes will be accepted.
- C. Officers shall be a parent or guardian of a student enrolled in an LRHS Band program or in one of the LRHS feeder schools if the student will participate in the LRHS Band during the upcoming fiscal year.
- D. Full-time MISD employees shall not serve in a financial capacity of the Organization. Financial capacity includes holding positions of Treasurer, fund-raising chairperson, or serving as a check signer.
- E. No two Members from the same household can simultaneously serve as Officers during the same fiscal year.
- F. Officers may be re-elected for no more than two (2) consecutive terms in the same position.
- G. In the event an elected office becomes vacant, replacement candidates shall be selected by the remaining Officers and elected during the next general meeting as prescribed in Article V.B.1-2.
- H. An elected officer may be removed from office upon a favorable recommendation from the remaining Officers and a simple majority vote from all Voting Members present during the first monthly meeting following the announcement of the Officer's recommendation.

## **Article VI - Meetings**

- A. Monthly meetings of the organization shall be held on the first Tuesday of each month.
  - 1. At least ten (10) Members shall be present to constitute a quorum.
  - 2. At least three (3) of the ten (10) Members present shall be Officers.
  - 3. All meetings shall follow the Parliamentary Procedures, as outlined in Article XI.
- B. In addition to the scheduled monthly meetings, the Officers may conduct organizational communication via email.
  - 1. In the event any electronic communication includes ten (10) or more Members, the communication has convened into a walking quorum.
  - 2. Once a walking quorum is convened, the communication must be documented and forwarded to the Secretary for recordation.
  - 3. The recorded deliberation must be made available by the Secretary to any Member upon request.
- C. In the event the President identifies a need to conduct a vote for approval of any business needs, the monthly meeting schedule may be amended by adding a specially called meeting that is properly posted in accordance with Article VII, Paragraph A.1.b.

## **Article VII - Duties of Officers**

- A. **President**
  - 1. The President should be an individual who had previously been active in the Organization.
  - 2. The major duties include, but are not limited to, the following:
    - a. Preside at all meetings of the Organization;
    - b. Prepare and post the agenda for each meeting. The agenda must be published at the LRHS campus at least seventy-two (72) hours prior to the meeting. In addition to posting at the LRHS campus, the Organization is encouraged to also post the agenda on the Organization's website at least seventy-two (72) hours prior to the meeting;
    - c. Regularly meet with the designated LRHS campus representative, e.g., Director of Bands or Principal, regarding booster activities;
    - d. Resolve problems in the membership;

- e. Ensure compliance of the bylaws;
- f. Exercise authority to sign any deeds, mortgages, bonds, contracts, checks, or other instruments in which the Organization is authorized to execute;
- g. Regularly meet with the Treasurer to review the Organization's financial position;
- h. Identify the need for ad hoc committees and provide a charge to the Second Vice-President to oversee each committee; and
- i. Assist the Director of Bands, when requested.

**B. First Vice-President - Budget / Finance**

1. The First Vice-President acts as the President's representative in his/her absence. The Member holding this position should be familiar with the Organization's activities.
2. The major duties include, but are not limited to, the following:
  - a. Oversee all fund raising committees;
  - b. Assist the President, as requested; and
  - c. Present a proposed budget for the upcoming fiscal year during the May monthly meeting. The proposed budget must be approved by majority vote of all the Voting Members in attendance during the May monthly meeting.

**C. Second Vice-President - Volunteers / Committees**

1. The Second Vice-President acts as the First Vice-President's representative in his/her absence. The Member holding this position should be familiar with the Organization's activities.
2. The major duties include, but are not limited to, the following:
  - a. Solicit volunteers as needed in the operation of the Organization;
  - b. Work with the President to identify when and which committees are necessary to carry out the needs of the Organization;
  - c. Oversee the work performed by each committee;
  - d. Solicit Members to serve on each committee; and
  - e. Work with the committee to select a Chair, if necessary.

**D. Secretary**

1. The secretary is responsible for keeping accurate records of the proceedings of the Organization and for reporting to the Members. The Secretary takes minutes for each monthly meeting, ensures the accuracy of the minutes by presenting the prior meeting minutes to the Organization for approval, and has thorough knowledge of the Organization's bylaws.
2. The major duties include, but are not limited to, the following:
  - a. Share records with the incoming Officers within 30 days of election—all records should be kept for a period of 10 years for audit purposes;
  - b. Turn over prior year records to the incoming Secretary at the start of the new fiscal year;
  - c. Maintain the records of the minutes, approved bylaws, any standing committee rules, current membership, and committee listing;
  - d. Conduct and report on all correspondence on behalf of the organization; and
  - e. Perform a weekly check of the mailbox or location where the Organization's mail or deliveries are received.
3. In the absence of the Second Vice-President, the Secretary shall assume the responsibilities of the Second Vice-President.

**E. Treasurer**

1. The Treasurer is the authorized custodian of the Organization's funds. The Treasurer receives and disburses all monies indicated in the budget and prescribed in these bylaws or as authorized by action of the Organization. All persons authorized to handle funds should be covered by a fidelity bond in an amount based upon the Organization's annual income and determined by the Officers.
2. The major duties include, but are not limited to, the following:
  - a. Maintain accurate and permanent records in accordance with MISD Guidelines and Procedures;

- b. Share records to the incoming officers within thirty (30) days of the election—records should be kept for a period of ten (10) years for audit purposes;
  - c. Issue a receipt for all monies received and deposit said amounts;
  - d. Present a current financial report including bank statements, bank reconciliations, and financial statements to the Organization within thirty (30) days of the previous month end. Copies should be available for review by the all Members;
  - e. File current financial reports at the end of each fiscal year with the MISD business office;
  - f. Reconcile all bank statements as received and resolve any discrepancies with the bank immediately;
  - g. 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;
  - h. File annual IRS form 990, 990-T, 990-N or 990-EZ in a timely manner;
  - i. Provide IRS Form 1099 MISC, where applicable, in accordance with IRS guidelines;
  - j. Follow the budgeting guidelines established in Article XII; and
  - k. Work with the Audit Committee at the end of the year to identify any discrepancies in the records.
3. Due to the increasing requirements placed on charitable organizations by the Internal Revenue Service, it is strongly recommended that the Treasurer have an accounting or business background.

#### **Article VIII - Chairpersons and Committees**

- A. An Audit Committee, comprised of three (3) Voting Members shall be elected during the May meeting for the current fiscal year. Members currently serving the Organization as check signatories are not eligible for election to the Audit Committee.
  1. The committee may select up to two (2) Voting Members to serve as alternates.
  2. The committee shall work in conjunction with the Treasurer to conduct a review of the Organization’s fiscal books and records and the related financial activity for the current fiscal year.
  3. The committee shall prepare a written Audit Report of their findings. The report must communicate the results of the audit and shall be presented to the Organization during the August monthly meeting.
  4. Any discrepancies noted should be brought to the attention of the First Vice-President and a resolution reached prior to presentation.
  5. Copies of the final audit report should be submitted to the MISD business office by September 15 of each year in conjunction with the financial information requirements for GASB 39.
- B. During the February general meeting, a nominating committee shall be elected. Current Officers are not eligible to serve on the Nominating Committee.
  1. The committee shall recommend various Members for office in the coming fiscal year.
  2. The committee shall solicit recommendations for the Officer positions within the Organization and then contact the potential candidate(s) directly to ascertain their willingness and desire to serve.
  3. The committee shall contain an odd number of Members, not less than three (3).
  4. Up to two (2) alternates may also be elected.
- C. In addition to the Audit Committee and Nominating Committee, additional Ad Hoc committees may be formed on an as needed basis by the President.
  1. The President shall identify the need for a committee and work with the Second Vice-President to devise the role and scope of each committee.
  2. The Second Vice-President shall fill the membership of each committee and work with the committee to select a Chair, if necessary.

#### **Article IX - Fiscal Year**

- A. The Organization’s fiscal year begins on the first (1<sup>st</sup>) day of July and ends on the thirtieth (30<sup>th</sup>) day of June.

### **Article X - Insurance and Property**

- A. The Organization shall maintain liability insurance as required by MISD.
- B. Personal property purchased by the Organization, which is placed in, on, or around the school, must be designated by the Officers as either the property of the Organization or LRHS. If the item is the property of the Organization, it becomes part of the Organization's physical assets and the Organization is liable for its maintenance and use. If not specifically identified as property of the Organization, it will be considered as a gift to LRHS or MISD.
- C. The Organization shall maintain insurance on physical assets as required by LRHS, MISD, or applicable law.

### **Article XI – Parliamentary Procedures**

- A. A Parliamentarian may be appointed by the elected Officers.
  - 1. If appointed, the primary duty of the Parliamentarian is to advise the President, or other presiding Officer in the President's absence, on parliamentary law and matters of procedure, when requested.
  - 2. The President, or other presiding Officer, has the sole power to make decisions or rule on a point of order. Thus, after the Parliamentarian has given his/her advice, the President, or other presiding Officer, will make the ruling to the organization.
  - 3. Additional duties of the Parliamentarian shall include, but are not limited to, the following:
    - a. Maintain order and control the continuity of meetings;
    - b. Time speakers, as needed, to ensure adherence to the posted agenda; and
    - c. Be versed in the Organization's bylaws and Robert's Rules of Order Newly Revised.
- B. In the event the Organization or President seeks an opportunity to vary from a specific bylaw or rule of order, a motion could be made to suspend the rule upon favorable vote by a majority of the Voting Members in attendance during the same meeting for which the suspended rule is requested. The variance will not continue past the item or meeting for which the rule suspension was approved.
- C. The rules contained in the current edition of Robert's Rules of Order Newly Revised shall govern the Organization in all cases to which they are applicable whenever the rule is not inconsistent with these bylaws or other special rules, e.g., Standing Rules. In such cases of inconsistency, these bylaws or special rules shall supersede to the extent of any such conflict or inconsistency.

### **Article XII – Budgeting**

- A. Annual budgets must be formulated and presented by the First Vice-President during the May monthly meeting. The budget must be approved by the Organization upon a majority vote by all Voting Members present during the May monthly meeting. The annual budget must be prepared in such a manner to include the following details:
  - 1. Set forth the fundraising project(s);
  - 2. Anticipated donation proceeds;
  - 3. Identify the Organization's expenditures: and
  - 4. Describe the purpose of the funds.
- B. The Organization shall maintain a checking accounts(s) with the Organization's EIN number. The account shall have three (3) authorized signatures: Treasurer, President, and First Vice-President.
- C. Two (2) authorized persons shall sign all checks.
  - 1. An authorized person cannot sign a check issued to them.
  - 2. The Director of Bands shall not have check signature authority.
- D. Checks must never be signed with a blank payee or made out to "Cash" on the 'Pay to the Order of' line.
- E. All expenditures are to be made by check or EFT, never cash.
- F. All requests for disbursement must be made from established budget line items. If a request exceeds the budget or is for an item not previously included in the budget process, a vote must be taken prior to expenditure.
- G. Where the organization is not billed directly, there must be a completed check request documenting expenditure amount and type submitted with receipts to receive reimbursement within thirty (30) days of the expense unless prior authorization by the elected Officers.
- H. All collected monies should be deposited within five (5) business days of receipt.

- I. Two Members should always count the money, and both Members should sign the receipt verifying the amount. The Treasurer shall sign a deposit form, which is kept as part of the Treasurer's annual records.
- J. Bank statements should be mailed to the address maintained by the Organization so that they can be reviewed by a Voting Member who does not have check signing authority. Said Voting Member shall review the back statement monthly before giving it to the Treasurer and is looking for red flags including: checks showing up in non-sequential order, checks made out to cash, cash withdrawals, check written out to non-approved vendors, checks written for non-approved expenses, and checks written out to individuals.
- K. Expenses not approved in the annual budget or significant modifications of the approved budget must be approved by simple majority vote by the Voting Members of the Organization.
- L. The President and Treasurer are responsible for ensuring budgeting adheres to MISD Booster Club Guidelines.

#### **Article XIII – Dissolution of 501(c)(3) Organization**

- A. The Organization may be dissolved by resolution if approved by a majority of the Voting Members during a meeting where the question of such a dissolution is submitted.
- B. At least thirty (30) days prior to the meeting, written or printed notice must be given to each Voting Member stating that the purpose of such meeting is to consider the advisability of dissolving the Organization.
- C. Upon dissolution of the Organization, all assets shall be distributed to the MISD, specifically the Lake Ridge Band activity fund, provided it is exempt under section 501(c)(3) of the Internal Revenue Code, or corresponding section of any future Federal Tax Code, at the time of dissolution. If the MISD is not exempt at the time of dissolution, the assets will be distributed to one or more organizations exempt under section 501(c)(3) of the Internal Revenue Code, or corresponding section of any future Federal Tax Code.

#### **Article XIV - Amendments**

- A. These bylaws may be amended by a two-thirds (2/3) majority vote of the Voting Members present at a monthly meeting.
- B. Proposed bylaw amendments must be presented to the Organization during a monthly meeting and subsequently posted for thirty (30) days in the LRHS Band Hall. In addition to the physical posting in the LRHS Band Hall, the Organization is encouraged to also post the proposed bylaw amendments on the Organization's website within a reasonable timeframe after the meeting.
- C. The posted notice for any bylaw amendment shall include:
  - 1. The proposed amendments, precisely worded;
  - 2. The current bylaw; and
  - 3. The bylaw as it will read if the amendment is adopted.
- D. Within the thirty (30) day posting, the President shall place the bylaw amendment on the upcoming monthly meeting agenda.
- E. During the meeting to vote on the bylaw amendments, any Voting Member may submit a main motion to amend the specific bylaw by one of three (3) methods:
  - 1. Strike out words, sentences, or paragraphs;
  - 2. Insert words, sentences, or paragraphs; or
  - 3. Strike out and insert (or substitute) words, sentences, or paragraphs.