

1
2 **(Name of Booster Club)**
3 **BYLAWS**

4
5 **ARTICLE I: Name**

6
7 The name of this organization is the *(name selected)* _____ Booster Club, and is
8 associated with *(campus name)* _____ School in *(city)* _____, Texas.

9
10 **ARTICLE II: Articles of Organization**¹

11
12 The articles of organization of this organization include (a) the bylaws of such organization and (b) the
13 certificate of incorporation or articles of incorporation of such organization (in cases in which the
14 organization is a corporation) or the articles of association by whatever name (in cases in which the
15 organization exists as an unincorporated association).

16
17 **ARTICLE III: Purposes**

18
19 Section 1. The purpose(s) of the *(name)* _____ is (are):
20 _____
21 _____

22 *(State the mission or purpose of the organization. If more than one purpose, create: a b, c, d, etc.)*
23

24 **ARTICLE IV: Basic Policies**

25
26 The following are basic policies of the *(name)* _____ Booster Club:

27
28 Section 1. The organization shall be noncommercial, nonsectarian and nonpartisan.

29
30 Section 2. The name of the organization or the name of its affiliated school shall not be used to endorse
31 or promote a commercial concern or in connection with any partisan interest or for any purpose
32 not appropriately related to promotion of the purpose(s) of the organization.

33
34 Section 3. The organization shall not—directly or indirectly—participate or intervene (in any way,
35 including the publishing or distribution of statements) in any political campaign on behalf of, or
36 in opposition to, any candidate for public office.

37
38 Section 4. This organization shall not use any EIN (tax number) other than its own. The EIN for the
39 Lewisville ISD is not to be used by any booster club for any purpose whatsoever.
40

¹ In an incorporated organization the individual has additional protection for his personal assets against any lawsuits. The corporation entity provides this protection. In an unincorporated organization there is a greater potential for each and every member to be sued because there is no corporation entity. Protection against loss of funds can alternatively be gained if the organization has sufficient officers and liability insurance. A lawyer or the office of the Secretary of State should be contacted for detailed information on the steps necessary to become an incorporated organization.

1 Section 5. This organization shall secure a sales tax permit from the Texas Comptroller's office and shall
2 display the permit in accordance with applicable law.

3
4 Section 6. No part of the net earnings of the organization shall inure to the benefit of, or be distributable
5 to, its members, directors, trustees, officers or other private persons except that the organization
6 shall be authorized and empowered to pay reasonable compensation for services rendered and
7 to make payments and distributions in furtherance of the purposes set forth in Article III hereof.

8
9 Section 7. This organization shall prohibit voting by proxy.

10
11 Section 8. No part of the membership roster of this organization shall be sold to any entity or exchanged
12 for any services or products without the approval of the majority of the general membership.

13
14 Section 9. Upon the dissolution of this organization:

- 15
16 a. After paying or adequately providing for the debts and obligations of the organization, the
17 remaining assets shall be _____ (choose one: distributed to one or more nonprofit
18 funds, foundations or organizations which have established their tax exempt status under
19 Section 501(c)(3) of the Internal Revenue Code---or--- to yield up and surrender and all of its
20 assets and property to LISD or to another local booster club.)
21
22 b. Shall cease and desist from the further use of any name that implies or connotes association with
23 a Lewisville ISD school; and
24
25 c. Carry out promptly, under the supervision of the LISD sponsor or his designee, all proceedings
26 necessary or desirable for the purpose of dissolving this organization.
27
28

29 Section 10. This organization shall keep such permanent books of account and records as shall be
30 sufficient to establish the items of gross income, receipts and disbursements of the organization.
31 Such books of account and records shall at all reasonable times be open to inspection by its
32 members.
33

34 Section 11. Only members who have paid dues for the current membership year (school year) may
35 participate in the business of that association.
36

37 **ARTICLE V: Members and Dues**

38
39 Section 1. Membership in this organization shall be made available without regard to race, color, creed or
40 national origin, nor in conflict with the provisions of the UIL.

41
42 Section 2. A person's paid membership dues allow membership in the organization from _____ to
43 _____.

44
45 Section 3. Upon payment of annual dues, a person shall have membership in the organization for one
46 year.
47

48 Section 4. This organization shall sustain a yearly membership total of at least (*number*) _____ to
49 remain an active booster club on the _____ campus.

1
2 **ARTICLE VI: Officers and Their Election**

3
4 Section 1. Each officer must be a member of this organization.
5

6 Section 2. No officer shall be married to another officer. No officer may be a sibling of another officer.
7 No officer shall be a signer for any checks that are payable to any of his family members.
8

9 Section 3. Officers and their election ²
10

- 11 a. The officers of this organization shall consist of a president, (*number*) _____ vice president(s),
12 a secretary, and a treasurer.
13
14 b. Officers shall be elected by ballot in the month of _____. However, if there is but one
15 nominee for an office, election for that office shall be by voice vote. Elections shall be by
16 plurality.
17
18 c. An individual must be a member prior to taking office.
19
20 d. Officers shall assume their official duties following the close of the school year and shall serve
21 a term of one year or until their successors are elected.
22
23 e. No officer shall serve in the same office for more than two consecutive terms. One who has
24 served more than one-half of a term shall be credited with having served that term.
25

26 Section 4. Nominating Committee:
27

- 28 a. There shall be a nominating committee elected by _____ (choose one: the general
29 body at a regular meeting at least one month prior to the election of officers---or---the executive
30 board one month prior to the election of officers). Elections shall be by plurality. The
31 committee shall be composed of (3, 5 or 7) _____ members. (*One, 2 or 3*) _____ alternates
32 shall be elected to serve in the event a member is unable to serve. The committee shall elect its
33 own chairman immediately following the meeting.
34
35 b. The nominating committee shall nominate an eligible person for each office to be filled and
36 report its nominees at the regular meeting in (*month of election meeting*)
37 _____ at which time additional nominations may be made from the
38 floor. The report shall be publicized to the local unit membership through regular publicity
39 channels at least seven (7) days before the election meeting.
40
41 c. Only those persons who have signified their consent to serve if elected shall be nominated for or
42 elected to such office.
43
44 d. No member shall automatically serve on this committee because of his office in the
45 organization or position in the school system.
46
47 e. The sponsor shall not serve as a member of this committee, nor shall they appoint any member
48 of the committee.
49

² The booster club must have at a minimum: a president, a secretary and a treasurer to function on an LISD campus.

1 Section 5. Vacancies

- 2
- 3 a. A vacancy occurring in any elected office shall be filled for the unexpired term by a person
- 4 elected by a majority vote of the executive board, notice of such election having been given.
- 5
- 6 b. In case a vacancy occurs in the office of president, the aide to the president shall serve notice to
- 7 the executive board of the election.
- 8

9 Section 6. Reason to remove:

10

11 By two-thirds (2/3) vote of the executive board an officer or chairman shall be removed from

12 office for failure to perform duties, criminal misconduct or unethical behavior in the

13 organization's business.

14

15 **ARTICLE VII: Duties of Officers**

16

17 Section 1. The president shall:

- 18
- 19 a. coordinates the work of the officers and committees of the association;
- 20
- 21 b. confirms that a quorum is present before conducting any business at any meeting of the
- 22 association;
- 23
- 24 c. presides at all meetings of the association;
- 25
- 26 d. appoints chairmen of special committees subject to approval of executive board;
- 27
- 28 e. be authorized to sign on bank accounts (two of three authorized signatures shall be required on
- 29 all checks);
- 30
- 31 f. call a meeting of the newly elected officers within thirty (30) days after the election meeting for
- 32 the purpose of approving appointments of standing committee chairmen and such other
- 33 business as becomes necessary;
- 34
- 35 g. is a member ex-officio of all committees except the nominating and audit committees;
- 36
- 37 h. Submit a copy of its bylaws and standing rules to the (*school name*) _____ principal;
- 38
- 39 i. Submit to the LISD accounting office and principal forms required by **Lewisville ISD**.
- 40

41 Section 2. Vice President(s) ³

42

43 The vice president shall:

- 44
- 45 a. act as aide-to-the-president, and
- 46

³ Vice presidents shall be named in order of precedence: first, second, third, etc. Each vice president shall have administrative charge of a specific area, which must be stated in the bylaws. The first vice president shall be designated as the aide-to-the-president. If no vice presidents are prescribed in these bylaws, the secretary will become aide to the president.

1 b. presides in the absence of the president.

2 — or —

3 *(For more than one vice president)*

4 a. First Vice President shall:

5
6 1. be the aide-to-the-president *(add in brackets any additional duty of the office if applicable,*
7 *example: [and be in charge of programs]), and*

8
9 2. preside in the absence of the president (in their designated order).

10
11 b. Second Vice President shall:

12
13 1. be _____ *(specific duty of the office, example:*
14 *be in charge of membership), and*

15
16 2. preside in the absence of the president (in their designated order).

17
18 c. *(Add additional letters as necessary for the number of vice presidents.)*

19
20 Section 3. The secretary shall: ⁴

21
22 a. record the minutes of all meetings of the association;

23
24 b. maintain a compilation of the organization's minutes;

25
26 c. is responsible for correspondence;

27
28 d. have a current copy of the bylaws; and

29
30 e. maintains a current membership list.

31
32 Section 4. The treasurer shall:

33
34 a. has custody of all the funds of the association;

35
36 b. keep books of account and records including bank statements, receipts, budgets, invoices, paid
37 receipts and canceled checks for five years;

38
39 c. makes disbursements in accordance with the budget adopted by the organization;

40
41 d. sign on bank accounts (two of three authorized signatures shall be required on all checks);

42
43 e. presents a financial report, both written and verbal, at every meeting of the unit and as
44 requested by the executive board or the organization;

45
46 f. makes a full report at the annual meeting;

47

⁴ If both a recording and corresponding secretary are elected, the duties of the secretary shall be divided. If no vice presidents are prescribed in these bylaws, the secretary will become aide to the president.

- 1 g. be responsible for the maintenance of such books of account and records as conform to the
- 2 requirements of Article V, Section 4 of these bylaws; and
- 3
- 4 h. submits books to the audit committee as requested.
- 5

6 Section 6. All officers shall:

- 7
- 8 a. attends all meetings of the association;
- 9
- 10 b. perform the duties outlined in these bylaws and those assigned from time to time; and
- 11
- 12 c. deliver to their successors or the president all official materials within fifteen (15) days
- 13 following the date at which their successors assume their duties.
- 14

15 **ARTICLE VIII : Duties of Sponsor**

16

17 Section 1. The sponsor of the organization shall not be a member or have voting privileges on the

18 executive board.

19

20 **ARTICLE IX: Meetings**

21

22 Section 1. This organization shall hold minimum of (number) _____ meetings a year.

- 23 a. Regular meeting dates will be established by the executive board at the first meeting of the year.
- 24 Time and dates will be announced to the membership at its first meeting of the year. Five days
- 25 notice shall be given if change of date is needed. ⁵
- 26
- 27 b. The regular meeting held in (*month*) _____ shall be the election
- 28 meeting.
- 29
- 30 c. The annual meeting in (*month/last meeting of the year*) _____ shall be for the
- 31 purpose of receiving reports of officers and chairmen and for any other necessary business.
- 32

33 Section 2. Special meetings of the association may be called by the president or by a majority of the

34 executive board, at least three days notice having been given.

35

36 Section 3. (*Number*) _____ members shall constitute a quorum for the transaction of business in any

37 meeting of this organization. ⁶

38

39 **ARTICLE X: Executive Board**

40

41 Section 1. The executive board shall consist of the officers of the association and the chairmen of standing

42 committees.

43

⁵ It is suggested that the membership be notified through regular publicity channels of the date and time of all organization meetings following the first meeting of the executive board at which time this schedule is determined.

⁶ It is suggested that the quorum be set to reflect the number of members who could reasonably be expected at any business meeting. This should be a specific number (not percentage) of the total membership.

1 Section 2. The sponsor of the organization shall not be a member nor have voting privileges on the
2 executive board but shall attend board meetings.

3
4 Section 3. A member shall not serve an officer or chairman of the organization's executive board while
5 serving as a paid employee of, or having purchasing contracts with the organization.

6
7 Section 4. The duties of the executive board shall be to:

- 8
9 a. transact necessary business in the intervals between association meetings and such other
10 business as may be referred to it by the association;
11
12 b. present a report at the regular meetings of the association;
13
14 c. approve Plans of Work of all officers and committee chairmen;
15
16 d. appoint an audit committee consisting of not less than three members, who are not authorized
17 signers, at least thirty (30) days before the annual meeting, to audit the treasurer's accounts;
18
19 e. create standing and special committees;
20
21 f. fill vacancies of officers and chairmen;
22
23 g. prepare and submit a budget for the year to the organization for adoption;
24
25 h. approve routine bills within the limits of the budget; and
26
27 i. ensure that the organization, through its practices and policies, does not violate such rules and
28 regulations that govern UIL.

29 Section 5. Meetings

- 30
31 a. Regular meetings of the executive board shall be held prior to each regular association meeting,
32 the time to be fixed by the board at its first meeting of the year.
33
34 b. A majority of the executive board members shall constitute a quorum.⁷
35
36 c. Special meetings of the executive board may be called by the president or by a majority of the
37 members of the board, at least three (3) days notice being given.
38

39 **ARTICLE XI: Standing and Special Committees**

40
41 Section 1. Only members of the association shall be eligible to serve in any elective position.
42

43 Section 2. The executive board may create such standing and special committees as it may deem
44 necessary to carry on the work of the organization. The term of each chairman shall be one (1)
45 year or until the selection of a successor.
46

⁷ In calculating a quorum, filled board positions rather than positions available will be counted.

1 Section 3. The newly-elected president shall call a meeting of the incoming officers within thirty (30)
2 days after the election for the purpose of approving standing committee chairmen and such other
3 business as becomes necessary.⁸
4

5 Section 4. No chairman shall serve in the same office for more than two consecutive terms. One who has
6 served more than one-half of a term shall be credited with having served that term.
7

8 Section 5. All standing committee chairmen shall:

- 9 a. deliver to their successors or the president all official materials within fifteen (15) days
10 following the date at which their successors assume their duties; and
- 11 b. present a Plan of Work to the executive board for approval. No committee work shall be
12 undertaken without written approval from the executive board.
13
14
15

16 Section 6. The president shall be a member ex-officio of all committees except the nominating and audit
17 committees.
18

19 Section 7. The quorum of any committee shall be a majority of its members.
20
21

22 **ARTICLE XII: Fiscal Year**

23
24 Section 1. The fiscal year of this organization shall begin _____ and end
25 _____. (*Suggested dates: June 1-May 31 or July 1-June 30. If the organization is*
26 *already a non-profit, the fiscal year cannot be changed without notifying the IRS.*)
27

28 Section 2. An audit committee consisting of not less than three (3) members, who are not authorized
29 signers, shall be appointed by the executive board at least thirty (30) days before the last
30 meeting of the fiscal year.⁹
31

32 Section 3. The audit committee report shall be adopted by the association.¹⁰
33

34 **ARTICLE XIII: Parliamentary Authority**

35
36 The rules contained in the current edition of *Robert's Rules of Order Newly Revised* shall govern the
37 organization in all cases in which they are applicable and in which they are not in conflict with these
38 bylaws, or the articles of incorporation.
39
40

⁸ Most parliamentary authorities discourage the use of more than one person serving in the same capacity; citing “no authority/no responsibility”; therefore, there are no co-chairmen.

⁹ An audit of the treasurer’s accounts is for the protection of the treasurer. It is the only means of assuring everyone that the accounts are accurate, and it relieves the treasurer of responsibility except in the case of fraud.

¹⁰ The audit report is adopted by a majority vote at the first general meeting following the close of the school year.

1
2 **ARTICLE XIV: Amendments**

3 Section 1.
4

- 5 a. These bylaws may be amended at any meeting of the association, provided a quorum is
6 present, by two-thirds (2/3) vote of the members present and voting. Notice of the proposed
7 amendment shall have been given at the previous regular meeting or twenty (20) days prior to
8 the meeting at which the amendment is voted upon. Each amendment to the bylaws shall be
9 provided to the membership through the regular publicity channels at least twenty (20) days
10 prior to the meeting at which the amendment is voted upon or at the previous regular meeting.
11
- 12 b. A committee may be appointed to submit a revised set of bylaws as a substitute for the
13 existing bylaws only by a majority vote at a meeting of the association, or by a majority vote
14 of the executive board. The requirement for adoption of a revised set of bylaws shall be the
15 same as in the case of an amendment.
16
- 17 c. After adoption by a two-thirds (2/3) vote at a meeting of the organization, a copy of bylaws
18 (and standing rules) as amended or revised and dated shall be sent to the campus principal.
19

20 Section 2. This organization shall review and if necessary amend its bylaws at least every three (3) years.
21

22 March 2009