

HAYS BAND BOOSTERS ORGANIZATION  
BY-LAWS

**ARTICLE I**  
**NAME OF THE ORGANIZATION**

The name of this organization shall be the HAYS BAND BOOSTERS ORGANIZATION. Represented within the Organization shall be: Barton Middle School, Dahlstrom Middle School, and Jack C. Hays High School.

**ARTICLE II**  
**ARTICLES OF THE ORGANIZATION**

The articles contained herein shall comprise the By-Laws for the Hays Band Boosters Organization and may be amended as necessary at the pleasure of the duly constituted membership. This Organization shall operate as a 501 ( c ) (3) non-profit organization.

**ARTICLE III**  
**PURPOSES OF THE ORGANIZATION**

The purpose of the Organization is to promote the interests of all young people in the above mentioned school's Band programs, and to promote closer cooperation between the Band programs, the parents, and the community.

**ARTICLE IV**  
**POLICIES OF THE ORGANIZATION**

This Organization shall seek to cooperate with the school board and administrators under the guidelines and policies of the Hays Consolidated Independent School District and shall not seek to direct the administrative activities of the school nor to control its policies.

This Organization shall not be commercial, sectarian, nor partisan, but shall endeavor through various cooperative fund raising activities to obtain money for special music equipment, individual band instruction, or other activities desired but not readily fundable through regular budgetary channels.

**ARTICLE V**  
**MEMBERSHIP**

Membership in this Organization shall be made up of all parents of band students and is available to any person who wishes to join at any time.

All members of this Organization shall be eligible to participate in the business meetings or to serve the Organization in any of its elective positions.

**Article VI**

**Dues**

Annual contributions shall be determined by the Executive Committee of the Organization.

**ARTICLE VII**

**MEETINGS**

General meetings of this Organization shall be held monthly during the school year. Membership in attendance shall constitute a quorum for the transaction of business in any duly called meeting of the Organization.

**ARTICLE VIII**

**ELECTION OF OFFICERS**

A nominating committee composed of three (3) members of the Organization, only one of whom may be a current officer of the Organization, shall be appointed by the President. The Director of Hays High School Band or his/her representative shall be an ex-officio member of the nominating committee.

Only those members of the Organization who have consented to serve shall be eligible for nominating either by the committee or from the floor.

Only those who are duly constituted members of this Organization are eligible to vote.

Officers shall be elected either by a voice vote or by a show of hands. If, however, more than one person is nominated for any (or all) office(s), voting shall be by secret ballot. Members of the Executive Committee shall immediately count the ballots and make known the results.

Elections shall be held at the last general meeting of the year.

**ARTICLE IX**

**TERM OF OFFICE**

Each officer of the Organization shall be elected and installed at the last general meeting of the year.

After the installation of newly-elected officers, their terms shall begin. Terms of the outgoing officers shall be considered terminated at that time.

The Executive Committee shall fill any vacancy that may occur during the year.

**ARTICLE X**

**EXECUTIVE COMMITTEE**

The Executive Committee shall be composed of the duly elected officers, and the Director of Bands or his/her representative.

The Executive Committee shall hold meetings as necessary. The Executive Committee shall meet upon call by the President or at the request of any two members of the committee. A majority of the Executive Committee shall constitute a quorum. A majority shall be defined as one more than half of those members.

Duties of the Executive Committee shall be as follows:

- To transact necessary business of the Organization between general meetings or other business that may be referred to it by the membership.
- To create standing committees when necessary and approve the plans of the committees.
- To fill any vacancy that may occur.

**ARTICLE XI**  
**DUTIES OF THE OFFICERS**

1. Duties of the President shall be as follows:

- To preside at all meetings of the Organization and all meetings of the Executive Committee.
- To appoint members to all committees.
- To institute meetings of the Executive Committee as deemed necessary.
- To be an ex-officio member of all committees except the Nominating Committee.

2. Duties of the Vice-President(s) shall be as follows:

- To attend all meetings of the Organization or preside at any Organization or Executive Committee meeting in the absence of the President.
- To be responsible for obtaining assistance in, and coordinating efforts for, local fund raising activities of Hays High School, and Middle Schools.
- To sign all checks with the President and Treasurer acting as cosigner.

3. Duties of Middle School Parent Representatives shall be as follows:

- To attend all meetings of the Organization and all meetings of the Executive Committee.
- To be responsible for obtaining assistance in, and coordinating efforts for, local fund raising activities of the Middle School.

4. Duties of the Secretary shall be as follows:

- To attend all meetings of the Organization and all meetings of the Executive Committee.

- To record the minutes of all meetings of the Organization, and all minutes of the Executive Committee meetings.
- To keep membership records.
- To perform other delegated duties as necessary. (correspondence needs, etc.)

5. Duties of the Treasurer shall be as follows:

- To attend all meetings of the Organization and all meetings of the Executive Committee.
- To have custody of all funds belonging to the Organization.
- To keep a full and accurate account of the receipts and expenditures of the Organization.
- To make disbursements as authorized.
- To present a financial statement at each meeting of the Organization and at other times when requested.
- To sign all checks with the President Vice President acting as cosigner.
- The Treasurer shall be responsible for maintaining up to date bank signature cards listing current officers authorized to sign on the accounts and removing officers no longer serving the organization.
- To submit accounts annually for audit by a committee of three (3), to be appointed by the President. The committee will make a written report of its findings and submit to the Executive Committee.
- Complete financial information to submit to Accountant for taxes and file the tax return each year by the due date.
- Review Tax return with President prior to filing
- Make copy of tax return and forward to the Head band director after filing.

ALL OFFICERS SHALL DELIVER TO THEIR SUCCESSORS ALL OFFICIAL MATERIAL WITHIN THIRTY (30) DAYS FOLLOWING THE MEETING IN WHICH NEW OFFICERS WERE INSTALLED.

**ARTICLE XII**  
**AMENDMENTS**

These By-Laws may be amended at any regular meeting of the Organization by a two-thirds vote of the members present, provided that notice of the proposed amendment shall have been given at the previous meeting or have been published on the booster website so that the voting membership has time to review the changes prior to the vote occurring.

**Article XIII**  
**Responsibility of Chairperson**

1. The Chairperson of their committee is responsible for making sure that contemporaneous written records are kept of all meetings.

2. The Chairperson is responsible for forwarding said minutes to the President as soon as possible after each meeting
3. It is the responsibility of the Chairman to inform the boosters of any decisions made by the committee in the form of a motion so that the boosters can vote to accept or decline the committee's decision

**Article XIV**  
**CONFLICT OF INTEREST POLICY**

Members of the board of directors (board members) of this booster club (hereinafter referred to as "HBB") serve in a fiduciary capacity and owe a duty of care, a duty of obedience, and a duty of loyalty to HBB. Board members shall conduct themselves with integrity and honesty and act in the best interests of HBB. Disclosure by a board member of any potential or actual conflict of interest is required by the standard of good faith and for the benefit of HBB and protection of each individual.

In consideration of our HBB, for the protection of its integrity and its 501(c)(3) status, and for our protection, we, the undersigned officers, individually, during our terms of office, shall:

1. Abide by and represent our HBB bylaws, the policies, positions, procedures, purposes and mission statement;
2. Discharge the duties and responsibilities of our individual offices with fidelity, integrity, and honesty and declare any and all personal and/or extended family conflicts of interest with HBB issues, decisions, and funds are involved;
3. Not misuse the HBB's federal tax-exempt status or exemption from sales tax for personal or unauthorized purposes nor disburse funds for any purpose other than authorized, budgeted HBB programs, projects, and activities.
4. Refrain from making slanderous or defamatory comments regarding any individual or organization.
5. Follow the HBB guidelines for fund-raising.
6. Abide by the following conflict of interest policy:
  - Board members and/or their families shall not use their relation to HBB for financial, professional, business, employment, personal, and/or political gain.
  - A conflict of interest exists when a board members would have to participate in the deliberation or decision of any issue of HBB while, at the same time, the board member and/or his/her extended family has financial, professional, business, employment, personal and/or political interests outside HBB that could predispose or bias the board member to a particular view, goal or decision.

- Board members shall declare to the officers of HBB conflicts of interest (stating the nature of the conflict and pertinent information as appropriate) between their duties of HBB and their and/or their extended families' financial, professional, business, employment, personal and/or political interests.
- When a conflict of interest is declared, the board members shall not use his/her personal influence of position to affect the outcome of this vote and shall leave the room during deliberations and the vote.

The minutes of the meeting shall reflect that a conflict of interest was declared.

Board members shall not:

- Use HBB's name, influence, or resources for their benefit or gain when running for any public elected office or while serving as an elected official.
- Directly or indirectly use their current HBB position, the HBB name or organization for or against any specific candidate for elected public office, which is contrary to federal tax laws and the guidelines and policies of the HBB.

We, the undersigned board members, have read and agree to abide by this policy and understand that the failure to adhere to the above guidelines may result in the termination of the undersigned as board members and will require the immediate return of all HBB property, documents and materials belonging to this HBB.

**ARTICLE XV**  
**PARLIAMENTARY AUTHORITY**

Roberts Rules of Order, latest edition shall govern in all cases, when not in conflict with these By-Laws.

These By-Laws have been amended and approved on by the Hays Band Boosters on September 26, 2011.

Theresa Spong, President  
Robert Loosier Vice President  
Nancy Herrington Treasurer  
Janet Walgren Secretary

APPENDIX

HAYS BAND BOOSTERS ORGANIZATION  
TRIP SPONSOR SELECTION POLICY

The following selection process will be used in selecting band trip sponsors from those who volunteer, when there are more sponsor volunteers than needed for the trip.

First Selection: Band Directors and their spouses

Second Selection: Personnel that the Director of Bands deems necessary and with a just cause to accompany the band on the trip.

Third Selection: Band Booster Officers and spouses who have "actively" participated in Booster meetings, fund raising events and other work projects.

Fourth Selection: Band Booster members who have "actively" participated in Booster meetings, fund raising events and other work projects.

Fifth Selection: Band Booster members in the following order:

- Senior band member parents
- Junior band member parents
- Sophomore band member parents
- Freshman band member parents.

**HAYS Band BOOSTERS  
CONFLICT OF INTEREST AGREEMENT**

*Each Officer shall obtain the appropriate signatures on this form, make a copy of the form(s) for all signers, and keep the signed originals) with the secretary of the HBB.*

Name	Postion	Date
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