

# TOMBALL MEMORIAL HIGH SCHOOL BAND BOOSTER CLUB

## By Laws and Articles of Incorporation

### ***Article No. 1***

#### **I. The Name of the Organization**

The name of this organization shall be known by all parties as the Tomball Memorial High School Band Booster Club.

#### **II. The Purpose**

The Purpose of the Tomball Memorial High School Band Booster Club (TMHSBBC), a non-profit educational foundation severing Tomball Independent School District (TISD) in the State of Texas, is the following:

- A. Support the goals and objectives of the band program.
- B. To assist the directors, band staff and students with administrative and logistical support when requested.
- C. To help promote a positive image of the band program throughout the community.
- D. To provide financial support for the band program.
- E. To foster communication between the band director, band parents, and band students.
- F. To foster parental involvement and support between parents and students.

To carry out the above purposes properly, the TMHSBBC may perform the activities and functions deemed necessary and appropriate by the following Club Bylaws, at the discretion of its officers, and with the approval of the Tomball ISD Administration, the duly appointed faculty sponsors, and within the authority delegated to it by the Tomball ISD Board of Trustees.

## **Article No. 2**

### **III. Membership**

A. Regular membership is for all parents, guardians, and staff of the Band Program.

1. Membership Dues are set by the Board of Directors.
2. Membership Dues are included in the Annual Band Fees. Therefore, all parents who have paid their child's fees in full are paid members of the TMHSBBC.
3. To hold an office with the TMHSBBC or serve as Chair of a committee, members must be fully paid and in good standing with the TMHSBBC.

B. Non-Members must contact the Band Booster President at least 24 hours prior to the next regularly scheduled meeting to be placed on the agenda. A limit of five (5) minutes will be allowed for all non-member considerations.

### **IV. Meetings**

- A. Regular meetings of this organization shall be held as announced by the Board of Directors.
- B. Special meetings may be called by the Board of Directors.
- C. The Board of Directors shall meet, as a minimum, prior to the regular meetings.
- D. Only regular members whose dues are paid are eligible to be recognized for discussion of Band Booster Business.

### **V. Board of Directors**

- A. The Board of Directors shall conduct business as necessary to implement, in an expedited manner, all actions decided by the club and/or by a club vote, provided such actions meet with band staff approval and do not interfere with policies of the Tomball Independent School District.
- B. Shall consist of those persons outlined in Article 2, Section 6 and a director of the TMHS Band program.
- C. The Board of Directors has the authority to appoint an interim officer when one resigns or leaves the office in any other way.

D. No obligation or fundraising activities shall be assumed by any member for said organization without the Board of Directors' authorization.

1. Expense items connected with fundraising projects will be approved by the Board of Directors.
2. Mid-term officer vacancies shall be filled via Board of Directors appointment.
3. Any awards given in the name of the TMHSBBC will be approved by the Board of Directors and will be presented at the time and place selected by the Board of Directors. All awards must be in line with the University Interscholastic League Constitution and Contest Rules.

## **VI. Officers and Duties**

A. Elected officers of this organization shall be the following:

1. President
2. Vice President Concession
3. Vice President Fundraising
4. Secretary
5. Treasurer

B. President

1. Preside at all Board of Directors meetings and at the general and special meetings
2. Act as a liaison between the TMHSBBC and all other school activities, TISD Administration, and the community

C. Vice President Concessions

1. Will assume the responsibilities of the president should that office be vacated prior to the end of the normal term of office
2. Assist the president with all activities as needed

3. Organize concession within the band organization (with approval from the TMHS Band Staff and TMHS Principal) and any functions that food will be present
4. Assist the Vice President Fundraising with all fundraising activities as needed

#### D. Vice President Fundraising

1. Organize concession within the band organization (with approval from the TMHS Band Staff and TMHS Principal)
2. Assist the president with all activities as needed
3. Assist the 1st Vice President with all concession stand activities as needed
4. Will assume the responsibilities of the 1<sup>st</sup> vice president should that office be vacated prior to the end of the normal term of office

#### E. Secretary

1. Keep accurate records of all TMHSBBC proceedings
2. Handle all necessary correspondence
3. Notify all parties of meetings, special and regular

#### F. Treasurer

1. Submit a report of funds at regular and Board of Directors meeting
2. Disburse funds as directed and approved by the Board of Directors. Checks will require any two (2) signatures of the following:
  - a. President
  - b. Vice President
  - c. Treasurer
3. Shall present ledger books to an Audit Committee, which is appointed by the Board of Directors prior to the conclusion of each fiscal year. The Audit

Committee will review and verify all expenditures during the previous year and submit a report of its findings to the newly elected Board of Directors.

4. Shall notify parties who have checks returned with insufficient funds that any resulting assessed fees and all future payments must be made by cash, money order or cashier's check.

## **VII. Nomination and Election of Officers**

- A. A Nominating Committee of three members and a band staff representative will be appointed by the President.
- B. The Nominating Committee shall present a slate of candidates to the general membership.
  1. Nominations may be made from the floor.
  2. Each candidate's consent must be obtained before his/her name is placed in nomination.
- C. Elections shall be held at the June Registration Meeting.
- D. Term of office shall be twelve months from July 1<sup>st</sup>- June 30<sup>th</sup>.
- E. Elections shall be by simple majority in a written or vocal ballot.
- F. The Nominating Committee shall take an accurate vote count.
- G. Outgoing Board Members should be prepared to begin the transition process following registration. This includes meeting with the newly elected board members to train them. The outgoing treasurer will be responsible for registration. The incoming treasurer will provide support for and be trained on the registration process. This overlap in duties is necessary to be aligned with the fiscal year (June 1<sup>st</sup>-May 31<sup>st</sup>).

## **VIII. Committees/Liaisons**

- A. Color Guard Liaison will be appointed as necessary with the approval of the Director of Bands and the Director of the Color Guard.

- B. Other liaisons may be appointed as necessary with the approval of the Director of Bands and appropriate staff members.
- C. Other committees may be appointed as necessary by the President.

### **Article No. 3**

#### **IX. Private Lesson Scholarships**

A. The TMHSBBC will donate to Private Lesson Scholarships.

- 1. Scholarships will be given at the discretion of the Band Staff (with Board of Directors approval).

Students will receive a half scholarship per lesson consisting of:

- a. Half of the lesson cost payable by the parents/guardians upon receipt of a monthly invoice sent from the TISD Fine Arts Office.
- b. Half of the lesson cost payable by the TMHSBBC upon the receipt of a monthly invoice sent from the TISD Fine Arts Office.

B. Requirements

- 1. All Band Fees must be paid in full.
- 2. Priority to those receiving scholarships will be given to those students that have a severe financial need and/or families with multiple students in the TISD Private Lesson Program.

#### **X. College Scholarships**

A. The College Scholarships will be open to all graduating seniors of the Tomball Memorial High School Roarin' Blue Band Program (Band and Color Guard)

B. The application process shall include a Scholarship Application (available from the Band Staff) and an essay detailing the applicant's future plans, financial need, how the scholarship money will be used, and what being a member of The Roarin' Blue Band has meant to the applicant.

- C. All essays will be anonymously submitted to the Scholarship Selection Committee.
- D. The Scholarship Selection Committee shall consist of at least two non-TISD band directors and one non-band TMHS staff member; and will be appointed by the TMHS Band Staff. No TMHS Band Directors or parents will be members of the committee.
- E. The Scholarship Selection Committee will rank the scholarship to determine the scholarship winners.
- F. Essay winners will be announced at the Annual Roarin' Blue Band Banquet.
- G. HSBBC may award up to six (6) \$500.00 Scholarships.
- H. In accordance with TISD Policy, the TMHSBBC will not award College Scholarships that total more than 10% of the net income of the organization during that school year.

## ***Article No. 4***

### **XI. Conflict of Interest Policy**

The purpose of the Conflict of Interest Policy is to protect the TMHSBBC's interest when it is contemplating entering into a transaction or arrangement that might benefit the private interest of an officer or director of the organization or might result in a possible excess benefit transaction. This policy is intended to supplement but not replace any applicable state and federal laws governing conflict of interest applicable to nonprofit and charitable organizations.

The TMHSBBC will follow any Conflict of Interest Policy set forth by Tomball ISD.

### **XII. Dissolution**

- A. A resolution to dissolve passed by a majority vote of the Board of Directors may be presented by the Band Staff to a special meeting of the membership, provided that a notice is sent to all members at least two weeks prior to said meeting. A majority vote of those present shall be required to approve the resolution.

- B. Upon dissolution of the organization, the Board of Directors shall, after making provisions for the payment of all liabilities of the organization, dispose of all non-cash assets and transfer the net cash assets to the TMHS Band Activity Account. However, if the named recipient is no longer in existence, no longer a qualified recipient, or unwilling or unable to accept distribution, then the assets of the organization shall be distributed (with band Staff approval) to a fund, foundation, or organization which is organized and operated solely of the purposes specified in section 501(c) 3 of the Internal revenue Code.

### **XIII. Amendment of Bylaws**

- A. The Board of Directors may, with a simple majority vote from the general membership, amend or repeal these Bylaws or adopt new Bylaws, unless the Organizing Documents or the Texas Business Organizations Code limits such powers.
- B. These Bylaws were adopted at the meeting of the Tomball Memorial High School Band Booster Club on August 24, 2012.



## Updates to By-Laws

Change name from committees to coordinators – Adopted 08/21/2015

Name Change from Vice President to Vice President Concessions-Adopted 08/19/2017

Name change from 2<sup>nd</sup> Vice president to Vice President Fundraising-Adopted 08/19/2017

Update the Conflict of Interest policy to reflect following the TISD policy-Adopted 08/17/2018

Outgoing and Incoming board members transition period from registration to June 30<sup>th</sup>-  
Adopted 08/17/2018