

**HAYS ATHLETIC BOOSTER CLUB  
BY-LAWS**

**ARTICLE I  
NAME OF THE ORGANIZATION**

The name of this organization shall be the HAYS ATHLETIC BOOSTER CLUB, hereinafter referred to as “HABC” or “Organization”.

**ARTICLE II  
ARTICLES OF THE ORGANIZATION**

The articles contained herein shall comprise the By-Laws for the HABC 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 HABC supports athletic and academic success in all student athletes of Hays High School (“HHS”). The HABC will promote positive parent and community involvement consisting of both volunteer services and financial support. The specific purposes of the HABC are:

- 1) to promote the interests of students in the Hays High School Athletic program,
- 2) to promote close cooperation between the HHS Athletic program, the parents of student athletes, and the community,
- 3) to raise funds in support of the activities of the HHS Athletic program, and,
- 4) to raise funds in support of scholarships for HHS student athletes after high school graduation.

**ARTICLE IV  
POLICIES OF THE ORGANIZATION**

This HABC shall seek to cooperate with the school board and administrators under the guidelines and policies of the Hays Consolidated Independent School District, HHS, and the University Interscholastic League (“UIL”) and shall not seek to direct the administrative activities of the school nor to control its policies. The HABC shall not be commercial, sectarian, nor partisan, and shall aim to support the activities of the HHS athletic program.

**ARTICLE V  
MEMBERSHIP AND DUES**

Membership in the HABC shall be open to all parents, guardians, and family members of HHS student athletes; faculty, staff, and graduates of HHS; and any other individuals supporting the purposes of the HABC. Membership shall be made available without regard to race, color, creed, sexual orientation or national origin.

**Membership Fees and Voting Rights**

- 1) Membership fees shall be set annually by the HABC Executive Committee. The term of membership will be from August 1 to July 31 of each year.
- 2) Only HABC members who have paid dues for the current membership year may participate in business decisions of the HABC.

- 3) Individual voting members shall pay an annual membership fee which will entitle the voting member to one vote per agenda action item.
- 4) Family voting members shall pay an annual membership fee (maximum of 2 members per family membership) which will entitle the family voting members to one vote each per agenda action item. All voting member names shall be listed on the membership forms when dues are paid to the HABC.
- 5) Members must be present to vote on any business being conducted for the HABC. No voting proxies will be allowed.
- 6) In the event that there is a conflict of interest, business members and/or HHS employees shall abstain from voting.

## **ARTICLE VI MEETINGS**

General meetings of the HABC 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 HABC. HABC general meetings are open to the public and all are welcome.

## **ARTICLE VII ELECTION OF OFFICERS and TERM OF OFFICE**

A nominating committee composed of three (3) voting members of the HABC, only one of whom may be a current officer of the HABC, shall be appointed by the President. Only those who are duly constituted voting members of the HABC are eligible to vote and only active HABC members can be nominated for officer positions. Officers shall be elected 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. There will be an Executive Committee meeting within 30 days of the election between all new and outgoing officers. The new officers will begin their one year term at this meeting. The Executive Committee shall fill any vacancy that may occur during the year.

The term of officer shall be for one (1) year. The offices of President, Vice President and Treasurer may only serve two (2) consecutive one (1) year terms per respective office. No person shall occupy the same elected office position for more than three (3) consecutive terms. Only one member of an immediate family may serve on the Executive Committee at the same time, unless prior approval is given by general vote of the HABC membership and approval of the HHS Athletic Coordinator. Failure of an Executive Committee member to attend more than 3 meetings in a calendar year may be cause for removal from that position. It is strongly preferred that Officers have children who currently participate HHS athletic programs.

## **ARTICLE VIII EXECUTIVE COMMITTEE**

The Executive Committee shall be composed of The President, Vice President, Secretary, Treasurer, the Committee Chair of Sports Coordinators, and the Hays High School Athletic Coordinator, ex-officio. The Executive Committee shall hold meetings as necessary (either in-person or via telephone or video conference). 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 the Committee members (3 or more). All on the Executive Committee must be HABC members in good standing (dues paid for the current membership year).

Duties of the Executive Committee shall be as follows:

- To transact necessary business of the HABC 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 officer or committee vacancies that may occur.
- Disburse funds of the approved budget per HABC, Hays CISD and UIL booster guidelines.

## **ARTICLE IX DUTIES OF THE OFFICERS**

1) **Duties of the President** shall be as follows:

- a) To preside at all meetings of the HABC and all meetings of the Executive Committee.
- b) To institute meetings of the Executive Committee monthly, and as deemed necessary.
- c) To be an ex-officio member of all committees except the Nominating Committee.
- d) To co-sign checks with Treasurer, or Vice President if Treasurer is unable to sign as primary signatory.
- e) To collaborate with Treasurer on deposits and custody of all funds belonging to the HABC. Bank statements must be reviewed monthly with the Treasurer.
- f) To identify, appoint and assist all Committee Chairs to Committees as established by the Executive Committee. To assist with appointment of members to all committees.
- g) To submit to the District's Director of Student Programs: Booster Club Information Sheet, list of the club's planned activities and fundraisers for the following school year, copy of the current organizational bylaws, copy of the annual financial statement and copy of the organization's IRS filing. (Required by HCISD each fall.)
- h) Other duties as mutually agreed.

2) **Duties of the Vice-President** shall be as follows:

- a) To attend all meetings of the HABC and all meetings of the Executive Committee, and to preside at any HABC or Executive Committee meeting in the absence of the President.
- b) To be responsible for obtaining assistance in, and coordinating efforts for, local fund-raising activities of HABC, and in particular to provide oversight of the Concessions Committee and its activities.
- c) To co-sign checks with the President or Treasurer, if needed.
- d) To collaborate with Treasurer as needed on deposits and custody of all funds belonging to the HABC.
- e) Other duties as mutually agreed.

3) **Duties of the Secretary** shall be as follows:

- a) To attend all meetings of the HABC and all meetings of the Executive Committee.
- b) To record the minutes of all meetings of the HABC, and all minutes of the Executive Committee meetings.
- c) To keep membership records and have available for verification of voting rights. (This includes accurately tracking all yearly membership records and payments of dues in coordination with the Treasurer.)
- d) To perform correspondence duties as necessary.
- e) To ensure the posting to the website the draft minutes of the previous meeting and provide notification via email or social media of upcoming meetings and the agenda.

f) Other duties as mutually agreed.

4) **Duties of the Treasurer** shall be as follows:

- a) To attend all meetings of the HABC and all meetings of the Executive Committee.
- b) To create, with collaboration from the Executive Committee, each annual budget. The budget for the next school year shall be presented to the general membership for adoption by the voting members at the last HABC meeting of each school year. To collaborate with President on deposits and custody of all funds belonging to the HABC. Bank statements must be reviewed monthly with the President.
- c) To keep a full and accurate account of the receipts and expenditures of the HABC.
- d) To make disbursements as authorized.
- e) To present a financial statement at each meeting of the HABC, the Executive Committee, and at other times when requested.
- f) To sign all checks with the President or Vice President acting as cosigners for amounts over \$500. Check amounts for \$500 and under may be signed by the one signer.
- g) To follow and to assist other HABC Officers and members in following appropriate financial standards and procedures including but not limited to the procedures outlined in the attachment to these By-Laws.
- h) 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.
- i) 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.
- j) To complete financial information 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 HABC President (for submission to the District's Director of Student Programs and the Athletic Coordinator).
- k) Other duties as mutually agreed.

5) **Duties of Committees and Committee Chairpersons.** Duties of the Committees and Committee Chairs, including the Committee of Sports Coordinators are defined in the Officers and Committees document attached to these by-laws and in the section below titled "RESPONSIBILITY OF COMMITTEE CHAIRPERSON(S)." Committees and their composition may change from year-to-year, with the exception of the **Committee of Sports Coordinators** which will be made up of at least one parent representative from each sport and each team level. These representatives will serve as the primary liaisons from the HABC to each sport/team and will assist the coaches and HABC in distributing updates and information, scheduling for concessions stand duty as needed, and other duties as mutually agreed.

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

**ARTICLE X  
AMENDMENTS**

These By-Laws may be amended at any regular meeting of the HABC by a two-thirds vote of the voting members present, provided that notice of the proposed amendment shall have been given at the previous meeting. These By-Laws shall be reviewed by the voting membership and adopted at the last HABC meeting of each school year.

**ARTICLE XI  
RESPONSIBILITY OF COMMITTEE CHAIRPERSON(S)**

The Chairperson of each Committee is responsible for communicating with the Executive Committee on a regular basis and reviewing all plans and decisions prior to the implementation of those plans and decisions.

It is the responsibility of the Chairperson to submit a budget of planned income and expenses to the Executive Committee for approval thirty (30) days prior to any event that will generate greater than \$50 in expenses. Any changes in expenditures needs to come to the Executive Committee prior to spending or committing to the expense for approval.

The Chairperson of each Committee is responsible for making sure that contemporaneous written records are kept of all meetings and forwarding said minutes to the Executive Committee within one week after each meeting.

It is the responsibility of the Chairperson to provide timely updates of Committee work at Booster general meetings.

All Committee members must be members in good-standing of the HABC for the current membership year.

## **ARTICLE XII CONFLICT OF INTEREST POLICY**

Members of the HABC Executive Committee (“Executive Committee”) serve in a fiduciary capacity and owe a duty of care, a duty of obedience, and a duty of loyalty to HABC. Executive Committee members shall conduct themselves with integrity and honesty and act in the best interests of HABC. Disclosure by an Executive Committee member of any potential or actual conflict of interest is required by the standard of good faith and for the benefit of HABC and protection of each individual. In consideration of our HABC, 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 HABC 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 HABC issues, decisions, and funds are involved;
3. Not misuse the HABC'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 HABC programs, projects, and activities.
4. Refrain from making slanderous or defamatory comments regarding any individual or organization.
5. Follow the HABC, UIL, HHS, and Hays CISD guidelines for fund-raising.
6. Abide by the following conflict of interest policy:

Executive Committee members and/or their families shall not use their relation to HABC for financial, professional, business, employment, personal, and/or political gain.

A conflict of interest exists when an Executive Committee member would have to participate in the deliberation or decision of any issue of HABC while, at the same time, the Executive Committee member and/or his/her extended family has financial, professional, business, employment, personal and/or political interests outside HABC that could predispose or bias the Executive Committee member to a particular view, goal or decision.

**DRAFT VERSION – 2019 HABC By-Laws**

Executive Committee members shall declare to the officers of HABC conflicts of interest (stating the nature of the conflict and pertinent information as appropriate) between their duties of HABC and their and/or their extended families' financial, professional, business, employment, personal and/or political interests.

When a conflict of interest is declared, the Executive Committee 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.

All members of the Executive Committee will document their agreement with this Conflict of Interest Policy by signing the HAYS ATHLETIC BOOSTER CLUB CONFLICT OF INTEREST AGREEMENT found at the end of these by-laws. By signing, all Executive Committee members indicate that they 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 Executive Committee members and will require the immediate return of all HABC property, documents and materials belonging to the HABC.

**ARTICLE XIII  
PARLIAMENTARY AUTHORITY**

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

**ADOPTION AND APPROVAL**

This version of the HABC by-laws were adopted and approved by the Officers and general membership of the Hays Athletic Booster Club on this \_\_\_\_\_ day of \_\_\_\_\_ (month), \_\_\_\_\_ (year).

Attachments to the by-laws:

1. Hays Athletic Booster Club Conflict of Interest Agreement
2. Hays Athletic Booster Club Financial Guidelines & Procedures
3. Officers & Committees – Job Descriptions and Time Commitments

**HAYS ATHLETIC BOOSTER CLUB  
CONFLICT OF INTEREST AGREEMENT**

*We, the undersigned Executive Committee members, have read and agree to abide by the HABC Conflict of Interest Policy and understand that the failure to adhere to the above guidelines may result in the termination of the undersigned as Executive Committee members and will require the immediate return of all HABC property, documents and materials belonging to this HABC.*

*The Executive Committee Secretary shall obtain the appropriate signatures on this form, make a copy of the form(s) for all signers if requested, and keep the signed originals with the Secretary of the HABC.*

Amended and adopted on \_\_\_\_\_ (insert date).

<b>Executive Committee</b>	<b>Printed Name</b>	<b>Signature</b>	<b>Date Signed</b>
President			
Vice President			
Secretary			
Treasurer			
Chairperson, Committee of Sports Coordinators			

## **HAYS ATHLETIC BOOSTER CLUB FINANCIAL GUIDELINES AND PROCEDURES**

The Treasurer shall coordinate sound financial procedures to be followed by the HABC and HABC Officers. These procedures include but are not limited to those found below. If circumstances require variation from these procedures, every possible effort should be made to document the reason for the discrepancies in process and to ensure the protection of all HABC funds.

### **Budget Preparation**

- The treasurer shall prepare the yearly budget for adoption by the club with input from the Executive Committee and Committee Chairpersons.
- The treasurer shall prepare yearly financial statements showing a recap from the previous year and details regarding all income and expenditures.

### **Check Signatures**

- There will be 3 signatures on the signature card at the bank.
- Two signatures will be required on each check over the amount of \$500.
- Individuals may not sign checks written to themselves, their spouse or other family members.

### **Deposits**

- All income received and turned in to the Treasurer for deposit must be submitted with a Cash Tally Form showing the purpose of the deposit and totals for cash, check and coin. The form must be signed by two persons who received and counted the funds. The treasurer will prepare appropriate deposit forms and make deposits. The Cash Tally Form will serve as a receipt of funds submitted for deposit.
- When cash or checks are received, the following rules apply:
  - The person collecting or in custody of cash/checks cannot make deposits. (For example, the person working in a concessions may not deposit those funds.)
  - Checks will be accepted only for the purchase amount.
  - An acceptable check should contain the maker's name, address, and phone number.
  - Post-dated checks are not accepted.
  - Checks received for deposit will immediately be endorsed with the statement "For Deposit Only" and the HABC account number.
- The Treasurer will prepare and make all deposits in a timely manner as they are received. Checks or cash should be deposited within 7 business days.
- HABC income will always be turned into the Treasurer or another Officer with the accompanying Cash Tally Form. Monies will not be dropped off and/or left unattended in a mailbox of an officer or placed in another designated area to be picked up later.

### **Invoices and Reimbursements**

- All vendor invoices or expenses incurred with vendors should be submitted to the treasurer for proper payment and tracking.
- Expenses will be paid based upon priority and the due date listed on the invoice.
- Expenses to be paid must be accompanied by an invoice, along with receipts or some form of



documentation requesting the expense must be paid. Supporting documentation must be maintained for all expenses.

- All purchases must be preapproved and receipts must be received by the Treasurer within 30 days of the date of the receipt to be eligible for reimbursement. If the receipt is not received within 30 days along with a Request for Reimbursement Form, the items purchased will be considered a donation to HABC.
- Purchases must be completed and recorded according to budget and as approved by the Executive Committee or HABC.

### **Record Keeping**

- All deposit and expenditures shall be recorded to the proper chart of account for financial reporting and tracking.
- The Treasurer will maintain the HABC chart of accounts and has the discretion to add additional account classifications as deemed necessary to classify income and expenses.
- The treasurer will balance bank statements no less than 30 days after receiving the statement.
- The treasurer shall prepare financial statements for each meeting showing the balance of the checkbook with all deposits and expenses since the previous meeting.

### **Scholarships**

- Students awarded HABC scholarships must show proof of enrollment before funds are distributed.
- The deadline for requesting scholarship payment will be established by the scholarship review/selection committee each year, but will be no later than May 15 of the following school year. This deadline will be clearly communicated to scholarship recipients at the time of the award.

