

**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 purpose of the HABC is to promote the interests of students in the Hays High School Athletic program, and to promote close cooperation between the Athletic program, the parents, and the community.

**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 and 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, but shall endeavor through various cooperative fundraising activities to obtain money for activities desired but not readily fundable through regular budgetary channels and shall aim to support the activities of the athletic program.

**ARTICLE V
MEMBERSHIP AND DUES**

Membership in the HABC shall be made up of parents or guardians of HHS student athletes. Individual voting members shall pay an annual membership fee (determined in the annual budget) which will entitle the voting member to one vote per agenda action item. Family voting members shall pay an annual membership fee (maximum of 2 members) 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. Voting members must be present to vote. HABC general meetings are open to the public and all are welcome.

ARTICLE VI MEETINGS

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

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 this 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. President, Vice President and Treasurer (check co-signers) have two year term limits for their position. They may seek election to a different position if desired.

ARTICLE VIII EXECUTIVE COMMITTEE

The Executive Committee shall be composed of The President, Vice President(s), Secretary, Treasurer and the Hays High School Athletic Coordinator, ex-officio. The Executive Committee shall hold meetings monthly prior to the General Meeting and 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. All on the Executive Committee must be HABC members in good standing.

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 vacancy that may occur.
- Disburse funds of the approved budget per Hays CISD and UIL booster guidelines. No one shall be a co-signer on a check that is payable to her/himself.

ARTICLE IX

DUTIES OF THE OFFICERS

1. Duties of the President shall be as follows:
 - To preside at all meetings of the HABC and all meetings of the Executive Committee.
 - To institute meetings of the Executive Committee monthly, and as deemed necessary.
 - To be an ex-officio member of all committees except the Nominating Committee.
 - To co-sign checks with Treasurer, or Vice President if Treasurer is unable to sign as primary signatory.
 - To collaborate with Treasurer on deposits and custody of all funds belonging to the HABC. Bank statements must be reviewed monthly with the Treasurer.
 - 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.
 - 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.
 - Other duties as mutually agreed.

2. Duties of the Vice-President(s) shall be as follows:
 - To attend all meetings of the HABC or preside at any HABC 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 HABC.
 - To co-sign checks with the President or Treasurer, if needed.
 - To collaborate with Treasurer as needed on deposits and custody of all funds belonging to the HABC.
 - Other duties as mutually agreed.

3. Duties of the Secretary shall be as follows:
 - To attend all meetings of the HABC and all meetings of the Executive Committee.
 - To record the minutes of all meetings of the HABC, and all minutes of the Executive Committee meetings.
 - To keep membership records and have available for verification of voting rights.
 - To perform correspondence duties as necessary.
 - 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.

- Other duties as mutually agreed.

4. Duties of the Treasurer shall be as follows:

- To attend all meetings of the HABC and all meetings of the Executive Committee.
- 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.
- When cash or checks are received, the following rules apply:
 - Segregation of Duties: Person collecting or in custody of cash cannot make deposits.
 - Checks may be accepted only for the purchase amount.
 - An acceptable check should contain the maker's name, address, phone number.
 - Post-dated checks are not accepted.
 - Checks received for deposit will immediately be endorsed with the statement "For Deposit Only" and the club name and account number.
 - All income must be counted and recorded with a deposit record including 2 signatures.
 - Checks or cash must be deposited within 7 business days.
- To keep a full and accurate account of the receipts and expenditures of the HABC.
- To make disbursements as authorized.
- All purchases must be preapproved and 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, the items purchased will be considered a donation to HABC.
- Purchases must be completed and recorded according to budget and approved by the Executive Committee.
- To present monthly financial statements to the Executive Committee at the Executive Committee meetings.
- To present a financial statement at each meeting of the HABC and at other times when requested.
- To sign all checks with the President or Vice President acting as cosigners for amounts over \$250. Check amounts for \$250 and under may be signed by the Treasurer only.
- 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 HABC President (for submission to the District's Director of Student Programs and the Athletic Coordinator) .

- 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 INSTALLED.

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.

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, 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.

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.

**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, and keep the signed original(s) with the Secretary of the HABC.

Amended and adopted on June 4th, 2018.

POSITION

NAME

DATE