

CONSTITUTION AND BYLAWS MUSTANG BAND BOOSTER CLUB

Section 1-CONSTITUTION

ARTICLE 1-Name

The name of this Club shall be: "Mustang Band Booster Club" (hereinafter the "Club").

ARTICLE 2 - Non-Profit Corporation

This Club is a non-profit corporation, incorporated under the laws of the State of Texas.

ARTICLE 3 - Purpose

1. The purposes for which the Corporation is organized are exclusively educational within the meaning of Section 501(c)(3) of the Internal Revenue Code of 1986 or the corresponding provision of any future United States Internal Revenue Law.
2. The Club will provide a service organization dedicated to the promotion and welfare of the Friendswood High School band program. The band program includes marching band, color guard, concert band, and winter guard, and all associated activities.

ARTICLE 4 - Membership

The membership of this Club shall be limited to parents and legal guardians of students participating in the band and/or guard program for the current year, and others interested in assisting the band/guard program. The Superintendent of Friendswood Independent School District or their designee will serve as an honorary member. Voting power will be held only by members of the Club.

ARTICLE 5 - Officers

The elected officers of this Club shall be a President, Vice President, a Secretary, a Treasurer, a Registrar, a Fundraising Coordinator, a Color Guard Liaison, and Members at Large. This group constitutes the voting members of the Executive Board. Each Executive Board member shall be the chair of at least one other volunteer committee outside of their Executive Board position. The position of Past President shall be solely an advisory member of the Executive Board, and shall not be a voting member.

Failure to chair a volunteer committee outside of any Executive Board voting member's position shall constitute grounds for removal from the Executive Board.

Beginning in the 2024-2025 school year and continuing thereafter, the position of Vice President shall be a three (3) year commitment in staggered terms, specifically: Vice President shall serve in year 1 as Vice President, shall serve in year 2 as presiding President, and shall serve in year 3 as Past President. Upon election, the Vice President shall have a student in the band program with a classification of Junior, Sophomore, or Freshman. The Vice President elected in the 2024-2025 school year shall ascend to President for the 2025-2026 school year term.

For the 2023-2024 and 2024-2025 school years, the presiding President shall serve a two-year term prior to transitioning to Past President for the 2025-2026 school year. For the 2023-2024 and 2024-2025 school years, the initial Past President may serve a two-year term prior to the transition of the two year term President to Past President in 2025 in order to avoid any vacancy in the position of Past President.

The position of Treasurer shall be a two (2) year commitment.

The position of Registrar shall be a two (2) year commitment.

The position of Fundraising Coordinator shall be a two (2) year commitment.

The position of Secretary shall be a two (2) year commitment.

The remaining positions on the Executive Board shall be one (1) year commitments.

A person shall not be eligible to serve in the same office for more than two consecutive terms. Exceptions to this will be determined on a case-by-case basis. Extension of tenure to a position requires a unanimous vote by a quorum of the Executive Board at a scheduled or called special meeting.

If suitable candidates are not available to serve a multiple-year commitment, the President, Vice President, Treasurer, Registrar, and/or Fundraising Coordinator shall serve a one (1) year commitment.

A majority of the Officers on the Executive Board shall constitute a quorum.

The duties of the Officers on the Executive Board shall be to:

1. Transact necessary business in the interval between general organizational meetings, and other such business as may be referred to the Club.
2. To prepare and submit to the Club for approval a budget for the fiscal year.
3. To approve routine bills within the limits of the budget.
4. To adopt or amend by, majority vote of the Executive Board present and voting, such Standing Rules of Order as are necessary to conduct business, but which are not in conflict with these bylaws.

All potential members of the Executive Board shall be nominated by the Nominating Committee and approved at a meeting of the general membership of the Club in May of each year.

If the office of President is vacated for any reason, the Vice-President shall succeed to the office vacated for the unexpired portion of that term.

Vacancies in other elected offices shall be filled by a majority vote of the remaining members of the Executive Committee.

Section 2 - BY-LAWS

ARTICLE 1 - Duties of Officers

President

The President shall preside at all meetings of the Club, oversee all aspects of the Club program, call meetings of the membership and Executive Board when necessary, serve as an ex-officio member of all committees with the sole exception of the Nominating Committee, and perform other duties as

requested by the Executive Board. The President shall be authorized to sign on the bank account. The President shall see that the Constitution and By-Laws are enforced, and shall perform such other duties as usually pertain to this office. The President shall confirm the appointment of the chairmen/leads of all committees. The President shall have authority to create committees as required. The President appoints and oversees the audit committee. Should any issue submitted to the Executive Committee result in a tie or non-vote, the President shall act as tiebreaker and serve as the deciding vote on any contested item.

Vice President

The Vice President shall perform the duties of the President in their absence and shall coordinate all standing and/or ad-hoc committees. The Vice President shall be authorized to sign on the bank account. The Vice President shall be elected for a term of one (1) year, then succeed to the position of presiding President in the school year following their term as Vice President. In the third year of their service, they shall serve as Past President, a non-voting position on the Executive Board. The Vice President shall serve as Parliamentarian at all general and special called meetings.

Secretary

1. The secretary shall keep an accurate record of all meetings, including the taking of minutes.
2. The secretary shall process and execute all necessary correspondence.
3. The secretary shall prepare agendas with the President's direction and notify all parties to meetings.
4. A copy of the minutes of the meetings and monthly financial reports shall be kept on file and are available on request.
5. The secretary shall not be authorized to sign on the bank account, but should have access to all financial account statements.

Treasurer

1. It shall be the duty of all members to deposit with the Treasurer the gross amount of all monies received on behalf of the Club or from any of its activities, and the Treasurer shall accept and accurately record all funds received.
2. The Treasurer shall be available, or designate an alternate, to collect money following all fundraising activities so that timely deposits can be made.
3. The Treasurer shall disburse funds in accordance with the approved budget. Additional disbursements shall be as directed and approved by a simple majority of the Executive Committee. Checks will require two of the authorized signatures: The Treasurer, the President, the Vice President and any other elected officer as deemed necessary shall be authorized to sign on the bank account.
4. The Treasurer shall submit a report of funds at regular Executive Board and General Meetings.
5. The Treasurer shall file all required reports with any governmental agency necessary to comply with all applicable code to retain its tax-exempt status.
6. The Treasurer shall present the financial books to an Audit Committee in the last month of the fiscal year or upon departure of the Treasurer from office for any cause. The Audit Committee shall be appointed by the President. The Audit Committee shall consist of three members; Audit Committee members may not be members of the Executive Board or relatives of members of the Executive Board.

The audit shall include an interview with the Secretary. The audit shall be completed prior to the next Treasurer's receipt of the Club's financial records if at all possible.

7. The Treasurer may appoint an Assistant Treasurer to report to the Executive Board in their absence. The Treasurer may appoint up to two Assistant Treasurers to assist with the duties of Treasurer, and appoint individual duties as deemed necessary.

Members at Large (2-5)

Each Member at Large shall assist the President and Vice President in coordination of committees and shall serve as chairperson of one or more significant volunteer committees outside of their duty as a member of the Executive Board. These committees include but are not limited to: Required Equipment & Uniforms, Chaperones, Pit Crew, Spirit Captains, Merchandise, and Technology Committee.

Registrar

1. The registrar shall coordinate the online registration for all band and color guard members.
2. The registrar shall ensure that all required forms for all band and color guard members are executed each year.
3. The registrar shall coordinate volunteers for band events and/or at the request of committee chairs.

Fundraising Coordinator

1. The Fundraising Coordinator shall organize and coordinate all band fundraisers and fundraising activities.
2. The Fundraising Coordinator shall be the chair for the pregame dinner event each Fall.
3. The Fundraising Coordinator shall manage social media posts, create flyers and/or create parent e-mails for all band fundraising events.

Color Guard Liaison

1. The Color Guard Liaison shall be a parent/guardian of a current color guard member.
2. The Color Guard Liaison represents the interest of both the Color Guard and Winter Guard on the Executive Board.
3. The Color Guard Liaison will communicate directly with guard members' parents/guardians to keep them informed on all relative events, deadlines, fundraising, and other relative financial requirements.
4. It is the responsibility of the Color Guard Liaison to coordinate payments, orders and distribution of merchandise, orders and distribution of required equipment, fundraising efforts, and other duties as designated by the Executive Board relative to members of the Color Guard in the fall and Winter Guard in the winter/spring seasons.
5. As required of other Executive Board members, the Color Guard Liaison shall act as the lead of one significant volunteer committee.
6. The Color Guard Liaison may appoint an Assistant Color Guard Liaison to assist with their duties and report to the Executive Board in their absence.

If any elected Executive Board member fails to perform their assigned duties or assume a required volunteer lead position, the Executive Board may vote to remove them from their elected position.

Past President

The Past President shall serve as an advocate for and advisor to the presiding President and perform other duties as requested by the Executive Board. The Past President shall not be a voting member of the Executive Board; the Past President shall serve primarily in an advisory role to the President and other members of the Executive Board. The Past President shall be encouraged but not required to attend Executive Board meetings.

ARTICLE 2 - Fiscal Year

The fiscal year shall be from June 1 through May 31.

ARTICLE 3 - Dues

Annual membership dues for the upcoming school year shall be set by the Executive Committee prior to May 31.

ARTICLE 4 – Financial and Accounting

The Executive Board shall decide all matters pertaining to the finances of the Club and shall deposit all monies received to the credit of the Club in the account designated by the Executive Board.

All checks written or cash withdrawals made by the Club shall be cosigned by the Treasurer and at least one other member of the Executive Board who has been designated as a signer on the Club's bank account.

The financial institution housing the bank account owned by the Club shall not be changed without approval by majority vote of the Executive Board.

New signature cards shall be submitted to the bank upon assumption of responsibilities of office by new officers.

The Executive Board shall not permit the solicitation of funds in the name of the Club unless all funds so raised are placed in the account designated by the Executive Board in the name of the Club.

No Officer, no Standing Committee Member, nor any Member of the Club shall receive, directly or indirectly, any salary or compensation from the Club for services rendered as Officer, Standing Committee Member or Member at Large.

An annual compilation of the Treasurer's accounts for the fiscal year shall be performed within two months of the close of that fiscal year or in accordance with any deadlines imposed by Friendswood Independent School District. Exceptions to this requirement may be made on occasion due to natural disasters or other implementing factors as designated by FISD.

Upon dissolution of the Club and after all outstanding debts and claims have been satisfied, the Officers of the Club shall distribute the property of the Club to such other organization(s) maintaining an objective similar to that set forth herein, which are or may be entitled to exemption under Section

501(c)(3) of the Internal Revenue code or any further corresponding provision, providing use of such funds acquired within the boundaries set forth in these bylaws.

ARTICLE 5 - Election of Officers

1. The election of officers shall be held at the last general meeting of the fiscal year, which will normally be held during May at the conclusion of each school year; the newly elected officers shall assume said office on June 1, following the end of the Club's fiscal year.
2. All candidates for office shall be nominated by a Nominating Committee consisting of three persons. The chairman of the Nominating Committee shall be appointed by the President. The remaining Nominating Committee members will be selected no later than the end of March. A slate of officer candidates shall be presented to the Executive Board no later than the April board meeting.
3. Term of office for each officer shall begin on June 1 of a calendar year and continue through May 31 of the following year.
4. No person shall be eligible to serve more than two consecutive terms in the same office. Exceptions to this may be made when necessary by the Executive Board and shall be confirmed by a majority vote of the general membership of the Club.
5. The Nominating Committee shall present its slate of officers to the Executive Board prior to the last general membership meeting of the school year, normally held in May. The presiding President will present the potential officers for vote during a general meeting. The President will request a motion to approve the nominated officers, followed by a 2nd, then a majority approval vote.
6. Nominations to Executive Board positions may be made from the floor at the general meeting. Only those who have previously consented to serve if elected shall be eligible for nomination. Floor nominations will not be submitted for general approval by members of the Club without prior vetting conducted by the Nominating Committee.
7. The Nominating Committee may request a special session to consider a nomination made from the floor. A special session motion must be made, seconded and approved.
8. In the event that no qualified person consents to fill an Executive Board officer position, the Nominating Committee may consider a past board member if the position would otherwise go unfilled.

ARTICLE 6 - Filling Vacancies of Office

In the event that any office on the Executive Committee is vacated for any cause, the remaining members of the Executive Committee shall elect a replacement for that office for the remaining balance of the term. The new officer shall promptly assume said title and all duties and there shall be no necessity for action on the part of the membership other than the recording of such occurrence in the minutes of the next general meeting.

ARTICLE 7 - Meetings

Executive Board meetings are to be held monthly, except in July and December, or at the discretion of the President. Five members of the Board shall constitute a quorum. General meetings may be held once a semester or at the discretion of the President. Fifteen active members in addition to three members of the Executive Board shall constitute a quorum.

ARTICLE 8 – Budget

A yearly budget shall be approved by the Executive Board and presented to the membership for review, comment, and approval at the last general meeting of the school year.

ARTICLE 9 - Minimum Balance

A minimum balance of \$10,000 shall be maintained in the Club's bank account. Dropping below this balance requires approval by the Executive Board.

ARTICLE 10 - Insurance

Fraud Protection Insurance will be kept on all Executive Board Members that have check signature authority and MBBC Members delegated by the Executive Board to have large cash responsibilities or are privy to any confidential information.

ARTICLE 11 - Amendments

The Constitution and By-Laws may be amended by two-thirds vote of the members present at any General meeting. The amendments must have be available for review by the general membership for at least 30 days prior to the vote by the Club members.

Last Approved: May 2020

Submitted for Approval: March 2023