

Creek Orchestra Booster Organization

BYLAWS

ARTICLE I: Name

The name of this organization is the Creek Orchestra Booster Organization, hereinafter referred to as the Boosters.

ARTICLE II: Articles of Organization¹

The articles of organization include (a) the bylaws of such organization and (b) the certificate of incorporation or articles of incorporation of such organization.

ARTICLE III: Purposes

Section 1. The purpose of the Creek Orchestra Booster Organization shall be to assist and support the orchestra program at Summer Creek High School. It shall promote the development of the program by fostering communication and cooperation between parents and guardians, the orchestra directors and the school administration.

Section 2. The Boosters shall provide services to students in the Summer Creek High School Orchestra program and such services shall include, but not be limited to:

- a. promoting awareness in the school and community of the orchestra program;
- b. providing chaperones at events and on trips, as needed;
- c. providing full or partial funding for accompanists, special instructors, or enrichment activities;
- d. providing support for award gatherings, concerts, trips and other special events;
- e. offering scholarships to Summer Creek High School orchestra students; and
- f. other support functions as determined by the Executive Board and accepted by school administration.

¹ In an incorporated organization the individual has additional protection for his personal assets against any lawsuits. The corporation entity provides this protection. In an unincorporated organization there is a greater potential for each and every member to be sued because there is no corporation entity. Protection against loss of funds can alternatively be gained if the organization has sufficient officers and liability insurance. A lawyer or the office of the Secretary of State should be contacted for detailed information on the steps necessary to become an incorporated organization.

ARTICLE IV: Policies

The following are basic policies of the Creek Orchestra Booster Organization:

Section 1. The organization shall be noncommercial, nonsectarian and nonpartisan.

Section 2. The name of the organization or the name of its affiliated school shall not be used to endorse or promote a commercial concern or in connection with any partisan interest or for any purpose not appropriately related to promotion of the purpose(s) of the organization.

Section 3. The organization shall not, directly or indirectly, participate or intervene, in any way, including the publishing or distribution of statements, in any political campaign on behalf of, or in opposition to, any candidate for public office.

Section 4. This organization shall not use any EIN (tax number) other than its own. The EIN for the Humble ISD is not to be used by any booster club for any purpose whatsoever.

Section 5. The organization shall secure a sales tax permit from the Texas Comptroller's office and shall display the permit in accordance with applicable law.

Section 6. No part of the net earnings of the organization shall inure the benefit of, or be distributable to, its members, directors, trustees, officers or other private persons except that the organization shall be authorized and empowered to pay reasonable compensation for services rendered and to make payments and distributions in furtherance of the purposes set forth in Article III hereof.

Section 7. This organization shall prohibit voting by proxy.

Section 8. No part of the membership roster of this organization shall be sold to any entity or exchanged for any services or products without the approval of the majority of the general membership.

Section 9. Upon the dissolution of the organization:

- a. after paying or adequately providing for the debts and obligations of the organization, the remaining assets shall be yielded up and surrendered to the Humble ISD;
- b. shall cease and desist from the further use of any name that implies or connotes association with a Humble ISD school; and
- c. carry out promptly, under supervision of the Humble ISD sponsor or designee, all proceedings necessary or desirable for the purpose of dissolving this organization.

Section 10. This organization shall keep such permanent books of account and records as shall be sufficient to establish the items of gross income, receipts and disbursements of the organization. Such books of accounts and records shall at all reasonable times be open to inspection by its members.

Section 11. Only members who have paid dues for the current membership year (school year) may participate in the business of that association.

Section 12. The Boosters shall honor all policies of the University Interscholastic League (UIL) and the Humble ISD.

ARTICLE V: Members and Dues

Section 1. Membership in this organization shall be made available without regard to race, color, creed or national origin, nor in conflict with the provisions of UIL.

Section 2. The parents or guardians of the orchestra students are considered to be members of the Boosters.

Section 3. All Booster members are encouraged to pay an annual assessment fee which shall be set each year by the Executive Board.

Section 4. The privileges of holding office, making motions, voting and serving as chaperones shall be limited to members of the Boosters.

Section 5. The membership year shall be from July 1 through June 30.

ARTICLE VI: Officers and Their Election

Section 1. Each officer must be a member of this organization.

Section 2. No officer shall be married to another officer. No officer may be a sibling of another officer. No officer shall be a signer for any checks that are payable to any of its family members.

Section 3. Officers and their election²

- a. The officers of the high school organization shall consist of a President, Vice President, Secretary and Treasurer.
- b. Officers shall be elected by ballot in the month of May. However, if there is but one nominee for an office, election for that office shall be by voice vote. Elections shall be by plurality.
- c. An individual must be a member prior to taking office.
- d. Officers shall assume their official duties following the close of the school year and shall serve a term of one year or until their successors are elected.

² The booster club must have at minimum: A President, Secretary and a Treasurer to function on a Humble ISD campus.

- e. No officer shall serve in the same office for more than two consecutive terms. One who has served more than one-half (1/2) of a term shall be credited with having served that term.

Section 4. Nominating Committee

- a. There shall be a nominating committee elected by: the general body at a regular meeting at least one month prior to the election of officers OR the Executive Board one month prior to the election of officers. For our purposes, we have chosen the Executive Board at a regular meeting at least one month prior to the election of officers. Elections shall be by plurality. The committee shall be composed of 3, 5 or 7 members. For our purposes, we have chosen three. One, 2 or 3 alternates shall be elected to serve in the event a member is unable to serve. For our purposes, we will elect one alternate to serve in each capacity. The committee shall elect its own chairman immediately following the meeting.
- b. The nominating committee shall nominate an eligible person for each office to be filled and report its nominees at the regular meeting in May, the month of the election, at which time additional nominations may be made from the floor. The report shall be publicized to the local unit membership through regular publicity channels at least seven (7) days before the election meeting.
- c. Only those persons who have signified their consent to serve if elected shall be nominated for or elected to such office.
- d. No member shall automatically serve on this committee because of his office in the organization or position in the school system.
- e. The sponsor shall not serve as a member of this committee, nor shall they appoint any member of the committee.

Section 5. Vacancies

- a. A vacancy occurring in any elected office shall be filled for the unexpired term by a person elected by a majority vote of the Executive Board, notice of such election having been given.
- b. In case a vacancy occurs in the office of President, the Aide to the President shall serve notice to the Executive Board of the election.

Section 6. Reason to remove

- a. By two-thirds (2/3) vote of the Executive Board, an officer or chairman shall be removed from office for failure to perform duties, criminal misconduct or unethical behavior in the organization's business.

ARTICLE VII: Duties of Officers

Section 1. The President shall:

- a. coordinate the work of the officers and committees of the association;
- b. confirm that a quorum is present before conducting any business at any meeting of the association;
- c. preside at all meetings of the association;
- d. appoint chairmen of special committees, subject to the approval of the Executive Board;
- e. be authorized to sign on bank accounts, (two of three authorized signatures shall be required on all checks);
- f. call a meeting of the newly elected officers within thirty (30) days after the election meeting for the purpose of approving appointments of standing committee chairmen and such other business as becomes necessary;
- g. be a member ex-officio of all committees except the nominating and audit committees;
- h. submit a copy of bylaws and standing rules to the Summer Creek High School Principal; and
- i. submit forms required by the Humble ISD to the Humble ISD accounting office and Principal.

Section 2. The Vice President(s) shall:³

- a. act as Aide to the President;
- b. preside in the absence of the President;
- c. assume the Presidency if a vacancy occurs in that office;
- d. serve as the Parliamentarian; and
- e. serve on the audit committee for a two (2) year term, only serving as head of the committee for one (1) of those years.

Section 3. The Secretary shall:⁴

- a. record the minutes of all meetings of the association;
- b. maintain a compilation of the organization's minutes;
- c. be responsible for correspondence;
- d. have a current copy of the bylaws;
- e. maintain a current membership list;

³ Vice Presidents shall be named in order of precedence: first, second, third, etc. Each Vice President shall have administrative charge of a specific area, which must be stated in the bylaws. The first Vice President shall be designated as the Aide to the President. If no Vice Presidents are prescribed in these bylaws, the Secretary will be Aide to the President.

⁴ If both a Recording and Corresponding Secretary are elected, the duties of the Secretary shall be divided. If no Vice Presidents are prescribed in these bylaws, the Secretary will become Aide to the President.

- f. submit minutes for approval at each successive meeting;
- g. be authorized to serve as co-signer of the bank account, (two of three authorized signers shall be required on all checks); and
- h. perform other duties as assigned by the President of the organization.

Section 4. The Treasurer shall:

- a. receive all money from the Boosters and students and deposit in the name of the Creek Orchestra Booster Organization;
- b. keep books of account and records including bank statements, receipts, budgets, invoices, paid receipts and cancelled checks for five years;
- c. make disbursements in accordance with the budget adopted by the organization or authorized by the Executive Board;
- d. sign on bank accounts, (two of three authorized signers shall be required on all checks);
- e. presents a financial report, both written and verbal, at every meeting of the unit and as requested by the Executive Board or the organization;
- f. make a full reporting at the annual meeting;
- g. be responsible for the maintenance of such books of account and records as conform to the requirements of Article V, Section 3 of these bylaws; and
- h. submit books to the audit committee annually.

Section 5. All officers shall:

- a. attend all meetings of the association;
- b. perform the duties outlined in these bylaws and those assigned from time to time; and
- c. deliver to their successors or the President all official materials within fifteen (15) days following the date at which their successors assume their duties.

ARTICLE VIII: Duties of Sponsor

Section 1. The Sponsor of the organization shall not be a member or have any voting privileges on the Executive Board. The booster club can be dissolved at any time and for just reason as determined by the Director of Orchestra through a written statement presented to the Principal and at a meeting of the general membership by the Director of Orchestra.

ARTICLE IX: Meetings

Section 1. This organization shall hold a minimum of three (3) meetings a year.

- a. Regular meeting dates will be established by the Executive Board at the first meeting of the year. Times and dates will be announced to the membership at its first meeting of the year. A five (5) day notice shall be given if changes of date are needed.⁵
- b. The annual meeting in May shall be for the purpose of receiving reports of officers and chairmen and for any other necessary business.

Section 2. Special meetings of the association may be called by the President or by a majority of the Executive Board with at least a three (3) day notice having been given.

Section 3. A majority of the Executive Board members shall constitute a quorum for the transaction of business in any meeting of this organization.⁶

ARTICLE X: Executive Board

Section 1. The Executive Board shall consist of the officers of the association and the chairmen of standing committees.

Section 2. The sponsor of the organization shall not be a member nor have voting privileges on the Executive Board but shall attend board meetings.

Section 3. A member shall not serve as officer or chairmen of the organization's Executive Board while serving as a paid employee of, or having purchasing contracts with, the organization.

Section 4. The duties of the Executive Board shall be to:

- a. transact necessary business in the intervals between association meetings and such other business as may be referred to it by the association;
- b. present a report at the regular meetings of the association;
- c. approve plans of work of all officers and committee chairmen;
- d. appoint an audit committee consisting of not less than three (3) members, who are not authorized signers, at least (30) days before the annual reporting deadline, to audit the Treasurer's accounts;
- e. create standing and special committees;

⁵ It is suggested that the membership be notified through regular publicity channels of the date and time of all the organization meetings following the first meeting of the Executive Board at which time this schedule is determined.

⁶ It is suggested that the quorum be set to reflect the number of members who could reasonably be expected at any business meeting. This should be a specific number, not percentage, of the total membership.

- f. fill vacancies of officers and chairmen;
- g. prepare and submit a budget for the year to the organization for adoption;
- h. approve routine bills within the limits of the budget; and
- i. ensure that the organization, through its practices and policies, does not violate such rules and regulations that govern UIL.

Section 5. Meetings

- a. Regular meetings of the Executive Board shall be held prior to each regular association meeting, the time to be fixed by the board at its first meeting of the year.
- b. A majority of the Executive Board members shall constitute a quorum.⁷
- c. Special meetings of the Executive Board may be called by the President or by a majority of the members of the board with at least a three (3) day notice being given.

ARTICLE XI: Standing and Special Committees

Section 1. Only members of the association shall be eligible to serve in any elective position.

Section 2. The Executive Board may create such standing and special committees as it may deem necessary to carry on the work of the organization. The term of each chairman shall be one (1) year or until the selection of a successor.

Section 3. The newly-elected President shall call a meeting of the incoming officers within thirty (30) days after the election for the purpose of approving standing committee chairmen and such other business as becomes necessary.⁸

Section 4. No chairman shall serve in the same office for more than two consecutive terms. One who has served more than one-half (1/2) of a term shall be credited with having served that term.

Section 5. All standing committee chairmen shall:

- a. deliver to their successors or the President all official materials within fifteen (15) days following the date at which their successors assume their duties; and
- b. present a plan of work to the Executive Board for approval. No committee work shall be undertaken without written approval from the Executive Board.

⁷ In calculating a quorum, filled board positions rather than positions available will be counted.

⁸ Most parliamentary authorities discourage the use of more than one person serving in the same capacity; citing "no authority/no responsibility"; therefore, there are no co-chairmen.

Section 6. The President shall be a member ex-officio of all committees except the nominating and audit committees.

Section 7. The quorum of any committee shall be a majority of its members.

ARTICLE XII: Fiscal Year

Section 1. The fiscal year of the organization shall begin July 1 and end June 30.

Section 2. An audit committee consisting of not less than three (3) members, who are not authorized signers, shall be appointed by the Executive Board at least thirty (30) days before the last meeting of the fiscal year.⁹ One of these members shall be the Vice President.

Section 3. The audit committee report shall be adopted by the association.¹⁰

ARTICLE XIII: Parliamentary Authority

The rules contained in the current edition of *Robert's Rules of Order Newly Revised* shall govern the organization in all cases in which they are applicable and in which they are not in conflict with these bylaws, or the articles of incorporation.

ARTICLE XIV: Amendments

Section 1.

- a. These bylaws may be amended at any meeting of the association, provided a quorum is present, by two-thirds (2/3) vote of the members present and voting. Notice of the proposed amendment shall have been given at the previous regular meeting or twenty (20) days prior to the meeting at which the amendment is voted upon. Each amendment to the bylaws shall be provided to the membership through the regular publicity channels at least twenty (20) days prior to the meeting at which the amendment is voted upon or at the previous regular meeting.
- b. A committee may be appointed to submit a revised set of bylaws as a substitute for the existing bylaws only by a majority vote at a meeting of the association, or by a majority vote of the Executive Board. The requirement for adoption of a revised set of bylaws shall be the same as in the case of an amendment.

⁹ An audit of the Treasurer's accounts is for the protection of the Treasurer. It is the only means of assuring everyone that the accounts are accurate, and it relieves the Treasurer of responsibility, except in the case of fraud.

¹⁰ The audit report is adopted by a majority vote at the first general meeting following the close of the school year.

- c. After adoption by a two-thirds (2/3) vote at a meeting of the organization, a copy of bylaws and standing rules as amended or revised and dated shall be sent to the campus Principal.

Section 2. This organization shall review and, if necessary, amend its bylaws at least every three (3) years.

ARTICLE XV: Orchestra Directors and School Administration

Section 1.

- a. The orchestra directors shall act as spokespersons for the orchestra to let the Boosters know in which ways their organization can assist and support the orchestra program in fulfillment of the purposes of the Boosters. The orchestra directors may also serve as spokespersons for the Boosters, serving as liaison between the Boosters and the school and district administrators.
- b. The head orchestra directors are ex-officio members of the Executive Board and of all standing committees and retain the authority to veto any proposed project of the Boosters.
- c. The District Superintendent or his designated representative is an ex-officio member of the Executive Board and retains the authority to veto any proposed project of the Boosters that are in conflict with UIL or Humble ISD policies, rules and/or regulations.

Revised: December 2018

Naikala Brown, President, 2018-2019 _____

Pilar Collazo, Vice President, 2018-2019 _____

Sue Frye, Secretary, 2018-2019 _____

Valerie Murphy, Treasurer, 2018-2019 _____

