

# **By-Laws of Tomball Memorial High School Silver Stars Booster Club**

## **Article I.**

### **Name**

The name of this organization shall be the Tomball Memorial High School Silver Stars Booster Club (“Booster Club” or “organization”). These By-Laws govern the affairs of Tomball Memorial High School Silver Stars Booster Club, a non-profit corporation organized under the Texas Non-Profit Corporation Act.

## **Article II.**

### **Purpose and Structure**

Section 1 Purpose. This Booster Club is organized exclusively for charitable and educational purposes as defined in Section 501(c)(3) of the Internal Revenue Code. The purpose of the Booster Club includes: raising funds and purchasing personal property and services to be used to support the Tomball Memorial Silver Stars Drill Team; supporting the Tomball Memorial Silver Stars Drill Team efforts to develop character, leadership, scholarship, self worth, responsibility, community involvement and high moral character; providing volunteers for extracurricular activities; and exercising other powers conferred by the laws of Texas on non-profit corporations and in accordance with U.I.L. Booster Club Guidelines.

Section 2 Structure. This Booster Club shall be self-governing, self-supporting, non-commercial, non-sectarian, non-profit and non-partisan, and, in conjunction with the Drill Team Director(s), shall seek neither to direct the administrative activities of the Tomball Independent School District nor to control its policies.

The Booster Club shall not conduct or carry on any activities not permitted to be conducted or carried on by an organization exempt from taxation under Section 501(c)(3) of the Internal Revenue Code and its regulations as they now exist or as they may hereafter be amended, or by any organization, contributions to which are deductible under Section 170(c)(2) of the Internal Revenue Code and its regulations as they now exist or as they may hereafter be amended. The Booster Club shall observe all local, state and federal laws that apply to non-profit organizations.

The Booster Club is organized pursuant to the Texas Non-profit Corporation Act and is organized for non-profit purposes that are consistent with the provisions of Section 501(c)(3) of the Internal Revenue Code and its regulations as they now exist or as they may be hereafter amended.

## **Article III** **Membership**

### Section 1

**Membership:** Membership in this Booster Club is open to any person who is a parent or guardian of a child or children who participate in the Tomball Memorial Drill Team, or who is a Graduated Alumnus or a parent or guardian of a Graduated Alumnus, and who will uphold the policies of this organization and agree to its By-Laws. A maximum of one membership shall be granted to each Alumnus and each family unit; however, both parents will be encouraged to participate. The membership term coincides with that of the board from June 1 – May 31 of the calendar school year.

### Section 2

**Qualification:** Eligible persons shall become members by paying the prescribed membership dues per family or Alumnus per school year. Upon payment of such dues, a member shall be considered in good standing and be entitled to any and all rights and privileges of membership. Any Drill Team participant who leaves the Tomball Memorial Drill Team prior to graduation will not be eligible for Alumni membership.

### Section 3

**Membership Drive:** An annual membership drive shall be conducted as early in the school year as possible, with additional members accepted at any time.

### Section 4

**Dues:** Annual dues shall be assessed in such amounts as determined by the Board of Directors. Dues shall be paid to the Treasurer or Membership Committee Chairperson. A copy of these By-Laws shall be available to all members.

### Section 5

**Membership Meetings:** The frequency and time of membership meetings will be determined by the Board of Directors, whether regular or special, following election of officers for the ensuing year. A regular meeting may be canceled or rescheduled according to the following rules applied to special meetings. A special meeting may be called by a majority of the Board of Directors, or Director(s). All meetings of the membership shall be open to the general membership and invited guests, provided that the conduct of the Booster Club affairs shall be limited to the membership in good standing.

### Section 6

**Voting:** Each qualified family unit, as described in Article 3, Section 2 of these By-Laws, shall have the right to cast one vote. Graduated Alumni and Alumni Parents or Guardians shall not have voting privileges. The attendance of twenty (20) percent of members at a membership meeting, whether regular or special, shall constitute a quorum. A majority vote of the members present and voting shall be required for the adoption of any motion that is in order. No voting by proxy will be allowed.

## **Article IV.**

## Director(s)

### Section 1

**Qualifications:** The members of the Board of Directors will be the Officers of the Board.

### Section 2

**Powers:** The Board of Directors shall be the governing body of the organization and shall manage, control and direct the affairs and property of the organization.

### Section 3

**Compensation:** No Director or Officer shall receive compensation for any service he or she may render to the organization. Board members may be reimbursed for actual expenses incurred in the performance of their duties.

### Section 4

**Officers:** Any member in good standing is eligible to serve as an Officer on the Board of Directors. Officers shall include and shall not be limited to a President, 2 Vice-Presidents, Secretary, Treasurer and Communications. The recruiting of candidates for Officers shall be done by the Nominating Committee comprised of the Drill Team Director, the President, and a minimum of three members, preferably one from each class (i.e. Freshman, Sophomore, Junior or Senior) selected by the Director and President. The prospective candidates selected shall be introduced to the general membership by the Nominating Committee at a regular membership meeting held in April or May, at which time additional nominations may be made from the floor and the election of Officers will occur.

Duties are as follows:

- A. The **Board of Directors** shall:
  - 1. Prepare the budget at the first meeting following June 1<sup>st</sup> for the ensuing school year;
  - 2. Approve routine expenditures;
  - 3. Consider recommendations for the disposition of excess funds surplus to budget;
  - 4. Hear reports and recommendations of standing and special committees;
  - 5. Perform any special function that may be assigned to the Board by the general membership through the due process of motion and adoption.
  
- B. The **President** shall:
  - 1. Preside at all meetings of the membership and all meetings of the Board of Directors;
  - 2. Have the authority, acting jointly with the Treasurer or in the Treasurer's absence, to sign all checks for approved expenditures. All checks will require both the signature of the President and the Treasurer. In the event of unforeseen necessary miscellaneous expenditures of the Club that have not been approved, the President shall have the authority, acting jointly with the

Treasurer or in the Treasurer's absence, to sign checks and to draw on the treasury in an amount not to exceed two hundred dollars (\$200.00) to ensure efficient functioning of the Booster Club;

3. Review and sign all Booster Club bank statements;
  4. Acting jointly with the Treasurer, authorize Committee Chairs to incur indebtedness on behalf of the Tomball Memorial High School Drill Team and the Booster Club, provided that such indebtedness shall not exceed the reasonable amounts necessary for the efficient functioning of the committees;
  5. Coordinate the work of the Board and committees in order that the objectives may be promoted;
  6. Coordinate the work so that the necessary reports are timely made to the appropriate State and Federal agencies;
  7. Recognize the authority and work within the framework of U.I.L. rules governing booster clubs.
  8. Perform additional duties as deemed necessary by the Board of Directors.
- C. The **Vice-President** shall:
1. Preside at meetings in the absence or inability of the President to serve.
  2. Assume the duties of the President in the event of the President's inability to serve or resignation;
  3. Have the authority, acting jointly with the Treasurer or in the Treasurer's absence, to sign all checks for approved expenditures. Checks will require both the signature of the Vice-President and the Treasurer;
  4. Recognize the authority and work within the framework of U.I.L. rules governing booster clubs.
  5. Perform additional duties as deemed necessary by the Board of Directors.
- D. The **Secretary** shall:
1. Serve as the recording officer of the Booster Club and act as custodian of all records except the Treasurer's books;
  2. Present to any member upon request, at any reasonable time, any or all records in his/her custody for inspection;
  3. Maintain records of all membership and attendance of members of the organization;
  4. Publish all notices of meetings or other matters;
  5. Recognize the authority and work within the framework of U.I.L. rules governing booster clubs.
  6. Perform additional duties as deemed necessary by the Board of Directors.
- E. The **Treasurer** shall:
1. Manage all Booster Club funds and shall disburse such funds by direction of the Board of Directors;
  2. Have the authority to sign all checks. All checks will require both the signature of the Treasurer and the signature of either the President or the Vice-President.

3. Maintain appropriate books and records of Booster Club funds;
4. Submit a current financial report to the general membership at all regular meetings or at special meetings at the direction of the President;
5. Prepare, or have prepared, all tax filings by required dates;
6. Submit a gross receipts information sheet to the school district no later than September 15 (or when requested);
7. Acting jointly with the President, authorize Committee Chairs to incur indebtedness on behalf of the Tomball Memorial Drill Team and the Booster Club, provided that such indebtedness shall not exceed the reasonable amounts necessary for the efficient functioning of the committees;
8. Recognize the authority and work within the framework of U.I.L. rules governing booster clubs.
9. Perform additional duties as deemed necessary by the Board of Directors.

F. The **Communications Manager** shall:

1. Maintain a content rich website that is easy for multiple officers/committee heads to post information and update content
2. Look for ways that technology can be used to communicate with our members and help manage the club as simply as possible
3. Oversee or coordinate use of Social Networking.
4. Be responsible for any and all correspondence from the Booster Club.
5. Assist with maintenance of membership database and mailing list
6. Be responsible for any and all correspondence from the Booster Club.
7. Recognize the authority and work within the framework of U.I.L. rules governing booster clubs.
8. Perform additional duties as deemed necessary by the Board of Directors.
9. If a change in this position is made due to the following circumstances: the Silver Star is a senior, resignation or removal from the position; the outgoing Communications Manager must provide all access including user names and passwords to the website, any social media platforms, as well as any templates, logos, letterhead and any created designs related to the TMHS Silver Stars Drill Team. This must occur exactly one (1) week after the term ends to ensure a smooth transition and no lapse in communications.

Section 5. Term. Each elected officer shall serve a term of one (1) year commencing from June 1 and ending May 31 of each calendar school year or until a successor has been duly elected or appointed, or until resignation or removal.

Officer vacancies shall be filled by Board appointment within five (5) weeks of removal/resignation of the prior Board member, and shall run for the remaining duration of the term, provided however, that all appointments shall be presented to the general

membership for ratification at the membership meeting, whether regular or special, next following the appointment.

Removal of any Officer may be accomplished by a majority vote of the membership present at a regular or special meeting if at least twenty-four (24) hours written notice of the purpose of the special meeting has been given and provided that a quorum is present. Any Officer convicted of a felony shall automatically be removed from office.

Removal of any Silver Star Member: If a board member's child is removed from the team then they will be required to resign from his or her position. The Director (Mrs. Nail) will then have the sole authority to appoint a replacement until the next election.

Section 6. Board Meetings. The Board of Directors shall provide for by resolution the time and place for regular meetings of the Board and for one annual meeting of the Board. Meetings may be called by a majority of the Board members. Board members may participate and vote at meetings by telephone.

Section 7. Voting. A majority of the members of the Board will constitute a quorum. A majority vote of the members of the Board shall be required for the adoption of any motion that is in order. Board members may vote by telephone. No voting by proxy will be allowed. The Chairperson of each committee, standing or special, will attend meetings of the Board of Directors, if requested, but will not have voting privileges.

Section 8. Notice. Notice of any meeting of the Board of Directors shall be given previously thereto by oral, e-mail or written notice. Any Director may waive notice of any meeting, and the attendance of a Director at any meeting shall constitute a waiver or notice of such meeting.

## **Article V.** **General Provisions**

Section 1. Fiscal Year. The fiscal year of this organization shall be August 1 through July 31 of the following calendar year.

Section 2. Operating Funds. Operating funds shall be maintained in a general fund, and an accounting of such funds shall be presented at all regular membership meetings.

Section 3. Group Exemptions. This non-profit organization qualifies as a tax-exempt organization under the provisions of Section 501(c)(3) of the Internal Regulations as they now exist or as they may be amended.

## **Article VI.** **Amendments**

Section 1. Amendments to Bylaws. These Bylaws may be altered, amended, or repealed. New Bylaws may be adopted by a majority vote of the Board and then by a majority vote of the members in attendance at any regular membership meeting, provided that a quorum is present and, that such alterations, amendments, or proposed substitute Bylaws have been distributed to the general membership at least one week prior to the meeting for consideration.

## **Article VII** **Dissolution**

Section 1. Dissolution. These Bylaws may be dissolved in the manner provided in Article Six – Amendments. Upon dissolution, all assets and records become the property of the Tomball Memorial High School Silver Stars Drill Team.

## **Article VIII.** **Committees**

The standing Committees shall be those listed below:

- Section 1. Membership Committee
- Section 2. Volunteer Committee
- Section 3. Audit Committee
- Section 4. Fundraising Committee
- Section 5. Special Committees

## **Article IX.** **Parliamentary Authority**

Section 1. Parliamentary Authority. General membership meetings and Board meetings shall be conducted in accordance with the parliamentary procedures contained in the latest edition of Robert's Rules of Order.

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

- A. The College Scholarships will be open to graduating seniors who have been a member of the Tomball Memorial High School Silver Stars for at least two (2) years. Candidates must not have been on academic or demerit probation at any time as a member of the Silver Stars.
- B. Applicants may obtain a scholarship application from the Silver Star Director. All scholarship applications will have a firm due date and instructions for submission to the designated AP for Silver Stars.
- C. Applications will be submitted anonymously to be considered by a committee of volunteers selected from the TMHS SSBC Membership, and a minimum of one

interested teacher(s) and/or campus administrator(s). The volunteer committee will consist of 3, 5, or 7 voting members including the committee chair person. No Silver Star Directors or Senior parents will be members of the committee.

- D. The Committee will rank the scholarship applications based on the criteria set forth on the application to determine the scholarship winners. The Committee members will not discuss or disclose any information obtained from an application, the decision of the committee or its decision making process outside of the Scholarship Committee.
- E. The Committee will make scholarship awards in \$100 increments up to \$500 to the chosen winner(s) utilizing the full budget afforded the committee by the board. As per TISD Policy, the total amount of scholarships awarded will not exceed 10% of the Booster Club's net profit from the current year.
- F. The Scholarship recipient(s) will be announced at the Silver Stars' Banquet and the Senior Award Assembly.

#### **Article XI. Conflict of Interest**

Board members may not vote on any situation or issue for which the outcome may provide a financial benefit to the Board member, his or her family or household. Board members are required to disclose to the Board any potential situations which may involve a conflict of interest prior to that situation being taken up and/or voted on by the Board. Failure to do so may result in immediate dismissal from the SSBC Board.

Standing Committee Chairmen are likewise required to disclose to the Board any situation or issue for which the outcome may provide a financial benefit to the Committee Chairman or his family. Failure to do so may result in immediate dismissal from the Committee Chairman position.

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