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# **Lady Hawk Basketball** **Booster Club** **BYLAWS**

Updated March 27, 2014

## **ARTICLE I: Name**

The name of this organization is the Lady Hawk Basketball Booster Club, and is associated with Birdville High School in North Richland Hills, Texas.

## **ARTICLE II: Articles of Organization <sup>1</sup>**

The articles of organization of this organization include (a) the bylaws of such organization and (b) the certificate of incorporation or articles of incorporation of such organization (in cases in which the organization is a corporation) or the articles of association by whatever name (in cases in which the organization exists as an unincorporated association).

## **ARTICLE III: Purpose**

Section 1. The purpose of the Lady Hawk Basketball Booster Club is to positively support and enrich student-athletes' involvement in basketball competition while complying with applicable University Interscholastic League (UIL) and Birdville Independent School District (BISD) policies.

## **ARTICLE IV: Basic Policies**

The following are basic policies of the Lady Hawk Basketball Booster Club:

Section 1. This organization is organized and operated exclusively for charitable and educational purposes within the meaning of 501(c)(3) of the Internal Revenue Code.

Section 2. The organization shall be noncommercial, nonsectarian and nonpartisan.

Section 3. 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.

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<sup>1</sup> 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.

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2 Section 4. No substantial amount of the activities of the organization shall be the carrying on of  
3 propaganda, or otherwise attempting to influence legislation and this organization shall not  
4 intervene in (including the publishing or distributing of statements) any political campaign on  
5 behalf of or in opposition to any candidate for public office.  
6

7 Section 5. This organization shall obtain an EIN (tax number) separate from BISD's EIN.  
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9 Section 6. No part of the net earnings of the corporation shall inure to the benefit of or be distributed to  
10 any director, employee or other individual, partnership, estate, trust or corporation having a  
11 personal or private interest in the corporation except the organization shall be authorized and  
12 empowered to pay reasonable compensation for services actually rendered and to make  
13 payments, distributions, or reimbursements for expenses actually incurred in furtherance of  
14 the purposes set forth in Article III hereof.  
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16 Section 7. This organization shall prohibit voting by proxy.  
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18 Section 8. No part of the membership roster of this organization shall be sold to any entity or exchanged  
19 for any services or products without the approval of the majority of the general membership.  
20

21 Section 9. Upon dissolution of this organization,

22 a. its assets shall be disposed of exclusively for the purposes of the corporation or  
23 distributed to such organizations organized and operated exclusively for charitable  
24 purposes which shall, at the time, qualify as exempt organization under section 501(c)(3),  
25 or shall be distributed to the federal government, or to a state or local government, for a  
26 public purpose,  
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28 b. after paying or adequately providing for the debts and obligations of the organization,  
29 efforts will be taken to surrender the remaining assets to BISD or to another Birdville  
30 High School booster club,  
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32 c. upon dissolution the Lady Hawk Basketball Booster Club shall cease and desist from the  
33 further use of any name that implies or connotes association with a BISD school; and  
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35 d. it shall promptly carry out, under the supervision of the BISD sponsor or his/her  
36 designee, all proceedings necessary or desirable for the purpose of dissolving this  
37 organization.  
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40 Section 10. This organization shall keep such permanent books of account and records as shall be  
41 sufficient to establish the items of gross income, receipts and disbursements of the  
42 organization. Such books of account and records shall at all reasonable times be open to  
43 inspection by its members, the BISD superintendent, the Birdville High School Principal, and  
44 the Lady Hawk Basketball coaching staff.  
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46 Section 11. Only members who have paid dues for the current membership year may participate in the  
47 business of the association.  
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## 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 the UIL.

Section 2. Upon payment of annual dues, a person shall have membership in the organization for one year.

Section 3. This organization shall sustain a yearly membership total of at least four to remain an active booster club on the Birdville High School campus.

## 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 his family members.

Section 3. Officers and their election <sup>2</sup>

a. The officers of this organization shall consist of a president, vice president, a secretary, and a treasurer.

b. Officers shall be elected by ballot, voice vote, or show of hands in May each year. Elections shall be by plurality, or by the largest number of votes received. The initial election of officers to launch the club shall be made in any calendar month after membership notice.

c. An individual must be a member prior to taking office.

d. Officers shall assume their official duties immediately and shall serve a term of one year or until their successors are elected.

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

Section 4. Officer Nominations:

a. Officer nominations from the general body at a regular meeting will be accepted and recognized. Booster club members may also volunteer or nominate themselves for officer positions at a regular meeting. Elections shall be by plurality.

b. The location, date, and time of the meeting to elect officers shall be publicized to the local unit membership through email (and by other optional means) at least seven (7) days before the election meeting.

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<sup>2</sup> The booster club must have at a minimum: a president and a treasurer.

- 1 c. Only those persons who have signified their consent to serve if elected shall be  
2 nominated for or elected to such office.  
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4 d. No member shall automatically serve on this committee because of his office in the  
5 organization or position in the school system.  
6  
7 e. The sponsor shall not serve as a member of this committee, nor shall they appoint any member  
8 of the committee.  
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10 Section 5. Vacancies  
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12 a. A vacancy occurring in any elected office shall be filled for the unexpired term by a person  
13 elected by a majority vote of the executive board, notice of such election having been given.  
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15 b. In case a vacancy occurs in the office of president, the vice president shall serve notice to the  
16 executive board of the election.  
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18 Section 6. Reason to remove: By two-thirds (2/3) vote of the executive board an officer or chairman shall  
19 be removed from office for failure to perform duties, criminal misconduct or unethical  
20 behavior in the organization's business.  
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## 22 **ARTICLE VII: Duties of Officers**

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### 24 Section 1. The president shall:

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- 26 a. coordinate the work of the officers and committees of the association;  
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28 b. confirm that a quorum is present before conducting any business at any meeting of the  
29 association;  
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31 c. preside at all meetings of the association;  
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33 d. appoint chairmen of special committees subject to approval of executive board;  
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35 e. be authorized to sign on bank accounts;  
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37 f. call a meeting of the newly elected officers within thirty (30) days after the election meeting  
38 for the purpose of approving appointments of standing committee chairmen and such other  
39 business as becomes necessary;  
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41 g. Submit a copy of its bylaws and standing rules to the Birdville High School principal;  
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43 h. Submit to the BISD booster club coordinator and school principal forms required by BISD.  
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### 45 Section 2. Vice President(s) <sup>3</sup>

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47 The vice president shall:  
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<sup>3</sup> The vice president shall be designated as the aide-to-the-president. If a vacancy exists in the vice president office, then the secretary will become aide to the president.

- a. act as aide-to-the-president;
- b. preside in the absence of the president; and
- c. perform monthly bank reconciliation to ensure accuracy of treasurer reports.

Section 3. The secretary shall:

- a. record the minutes of all meetings of the association;
- b. maintain a compilation of the organization's minutes;
- c. provide club correspondence including meeting notifications to be sent to members, the Lady Hawk Basketball Head Coach, and the school principal;
- d. have a current copy of the bylaws; and
- e. maintain a current membership list.

Section 4. The treasurer shall:

- a. maintain custody of all the funds of the association;
- b. keep books of account and records including bank statements, receipts, budgets, invoices, paid receipts and canceled checks for five years, or until transferred to his/her successor;
- c. make disbursements in accordance with the budget adopted by the organization;
- d. sign on bank accounts;
- e. present a financial report, both written and verbal, at every meeting of the unit and as requested by the executive board, the organization, the Lady Hawk Basketball Head Coach, or school principal;
- f. make a full report at the annual meeting;

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.
- d. Ensure the audit committee receives the documents and information needed.

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3 **ARTICLE VIII : Duties of Sponsor**  
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5 Section 1. The sponsor of the organization shall not be a member or have voting privileges on the  
6 executive board.  
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8 **ARTICLE IX: Meetings**  
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10 Section 1. This organization shall hold minimum of five meetings a year.

11 a. Regular meeting dates will be established by the executive board at the first meeting of the  
12 year. Time and dates will be announced to the membership at its first meeting of the year.  
13 Five days notice shall be given if change of date is needed. <sup>4</sup>  
14

15 b. A regular meeting held in May shall be the election meeting and shall be for the purpose of  
16 receiving reports of officers and chairmen and for any other necessary business. Any month  
17 may be selected for initial officer elections.  
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19 Section 2. Special meetings of the association may be called by the president or by a majority of the  
20 executive board, at least three days notice having been given.  
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22 Section 3. Five members shall constitute a quorum for the transaction of business in any meeting of this  
23 organization. <sup>5</sup>  
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25 **ARTICLE X: Executive Board**  
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27 Section 1. The executive board shall consist of the officers of the association and the chairmen of  
28 standing committees.  
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30 Section 2. The sponsor of the organization shall not be a member nor have voting privileges on the  
31 executive board but shall attend board meetings.  
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33 Section 3. A member shall not serve as officer or chairman of the organization's executive board while  
34 serving as a paid employee of, or having purchasing contracts with the BISD.  
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36 Section 4. The duties of the executive board shall be to:  
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38 a. transact necessary business in the intervals between association meetings and such other  
39 business as may be referred to it by the association;  
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41 b. present a report at the regular meetings of the association;  
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43 c. approve Plans of Work of all officers and committee chairmen;  
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<sup>4</sup> It is suggested that the membership be notified through regular publicity channels of the date and time of all organization meetings following the first meeting of the executive board at which time this schedule is determined. It is recommended that a certain day be selected for each month to hold meetings.

<sup>5</sup> 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.

- d. appoint an audit committee consisting of not less than two members, who are not authorized signers, at least thirty (30) days before the annual meeting, to audit the treasurer's accounts;
- e. create standing and special committees;
- 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 or BISD.

#### 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. <sup>6</sup>
- c. Special meetings of the executive board may be called by the president or by a majority of the members of the board, at least three (3) days 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. <sup>7</sup>

Section 4. No chairman shall serve in the same office for more than two consecutive terms. One who has served more than one-half 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

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<sup>6</sup> In calculating a quorum, filled board positions rather than positions available will be counted.

<sup>7</sup> 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.

1           b. present a Plan of Work to the executive board for approval. No committee work shall be  
2           undertaken without written approval from the executive board.

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4   Section 6. The president shall be a member ex-officio of all committees except the audit committee.

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

## 7 8 9                                   **ARTICLE XII: Fiscal Year**

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11   Section 1. The fiscal year of this organization shall begin April 1 and end March 31.

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13   Section 2. An audit committee consisting of not less than two (2) members, who are not authorized  
14           signers, shall be appointed by the executive board at least thirty (30) days before the last  
15           meeting of the fiscal year. <sup>8</sup>

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17   Section 3. The audit committee report shall be adopted by the association. <sup>9</sup>

## 18 19                                   **ARTICLE XIII: Parliamentary Authority**

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

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<sup>8</sup> 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.

<sup>9</sup> The audit report is adopted by a majority vote at the first general meeting following the close of the audit.



## 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 seven (7) days prior to the meeting at which the amendment is voted upon. Each amendment to the by laws shall be provided to the membership through the regular publicity channels at least seven (7) 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 majority vote at a meeting of the association, or by 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.
- c. After adoption by two-thirds (2/3) vote of 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 once annually according to UIL booster guidelines.

March 27, 2014

Added Amendments:

- a. There shall be no financial reimbursement without a receipt (September 15, 2017)
- b. Must have two signers on all checks and per our bylaws they are the President and Treasurer (October 6, 2017)