

TOPCATS BOOSTER CLUB, INC.

BYLAWS

ARTICLE I: Name

The name of this organization is the **Topcats Booster Club, Inc.** and is associated with **The Colony High School** in **The Colony, Texas**.

ARTICLE II: Articles of Organization

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: Purposes

Section 1. The purpose(s) of The Topcats Booster Club, Inc. is to be a team minded organization that:

- a. supports and enhances a wholesome self-image for our students
- b. encourages values & decisions governed by honor and respect
- c. promotes school spirit, good sportsmanship and community service

ARTICLE IV: Basic Policies

The following are basic policies of the **Topcats Booster Club, Inc.**:

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 Lewisville ISD is not to be used by any booster club for any purpose whatsoever.

Section 5. This organization shall secure and maintain 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 to 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 majority approval of the general membership.

Section 9. Upon the dissolution of this organization:

- a. After paying or adequately providing for the debts and obligations of the organization, the remaining assets shall be distributed to one or more nonprofit funds, foundations or organizations which have established their tax-exempt status under Section 501(c)(3) of the Internal Revenue Code.
- b. The organization shall cease and desist from the further use of any name that implies or connotes association with a Lewisville ISD school; and
- c. carry out promptly, under the supervision of the LISD sponsor or his 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 sufficient to establish the items of gross income, receipts and disbursements of the organization. Such records shall at all reasonable times be open to inspection by its members. These records shall include:

- a. copies of all legal documents filed with the Texas Secretary of State, IRS, LISD and all other government agencies
- b. a copy of the bylaws, and any amended versions or amendments to the bylaws
- c. minutes documenting the proceedings of meetings of the Executive Board, general membership, and any committees having the authority of the Executive Board
- d. a list of the names and contact information of all directors, officers, and any committee members of the organization
- e. an annual financial statement showing the support, income, expenses and net worth of the organization at the end of each of the five most recent years
- f. all rulings, letters and other documents relating to the organizations federal, state and local tax status
- g. the organizations federal, state and local information or tax filings for each of the five most recent years

Section 11. Any member may inspect and receive copies (at their expense) of the financial records of the organization required to be kept by the bylaws. Such a person may inspect or receive copies

- a. if a request is submitted in writing,
- b. at a reasonable time during normal business hours,
- c. no later than ten working days after the organization's receipt of a proper written request

Section 12. All checks, drafts, or other forms of payment of money, or notes of indebtedness issued in the organization's name, shall be signed by 2 of the 3 authorized signatures (i.e. President & Treasurer).

Section 13. All deposited funds of the organization shall be counted and verified by 2 current organization members, and promptly deposited to credit of the organization in such banks, trust companies, or other depositories as the organization may select.

ARTICLE V: Members and Dues

Section 1. Members of The Topcats Booster Club are comprised of parents and other non-student adults who are interested in enhancing the district's educational programs. 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. Only members who have paid dues for the current membership year (school year), and are in good standing, may participate in the business of the organization. The Membership Dues amount established by the Executive Board & Director, will be a minimum of \$25 a year, and is subject to increase or decrease annually. Upon payment of annual dues, a person shall have membership in the organization for one year, and be entitled to 1 vote.

- a. Paid membership dues allow membership in the organization from **May 1st to April 30th**. Annual dues for new members shall not be prorated from the day on which such membership commenced through the date on which annual dues are due and payable.
- b. When any member shall be in default in the payment of annual dues or fees, for a period of three months from the date on which such dues shall be payable, membership in the organization may be terminated by the Executive Board.
- c. Membership dues are nonrefundable.
- d. Membership is not transferable or assignable.
- e. The Executive Board, by affirmative vote of the majority of all of the members of the board, may terminate the membership of any member with or without cause.
- f. Each paid membership entitles the bearer to 1 vote. Multiple votes per family are permitted only if each adult casting a vote is a current, paid member in good standing.

Section 3. This organization shall sustain a yearly membership total of at least 10 to remain an active booster club on The Colony High School campus.

Section 4. No member of the organization shall have the power to engage in any act, make any expenditure, or enter into any contract creating any obligation for the organization unless authorized by the Executive board, approved by majority vote, and documented in writing.

ARTICLE VI: Officers and Their Election

Section 1. Each officer must be a paid 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

- a. The officers of this organization shall consist of **President, Vice President, Secretary, Treasurer, Parliamentarian & JV Liaison** (when called for).
- b. Officers shall be elected by ballot at the general meeting in the month of **April**. However, if there is but one nominee for an office, election for that office shall be by voice vote. Elections shall be by plurality. If election of officers is not able to be held at the April meeting, such election shall be held as soon thereafter as conveniently possible.
- 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 duly elected and qualified.
- e. No officer 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.
- f. An officer may resign by giving written notice to the President or Secretary. The resignation shall take effect at the time specified therein. Unless otherwise specified, the acceptance of such resignation shall not be necessary to make it effective.

Section 4. Nominating Committee:

- a. There shall be a nominating committee elected by the executive board one month prior to the election of officers. Elections shall be by plurality. The committee shall be composed of 3 members. One alternate shall be elected to serve in the event a member is unable to serve. 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 April 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 at any meeting, 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: 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 organization;
- b. confirm that a quorum is present before conducting any business at any meeting of the organization;
- c. preside at all meetings of the organization;
- d. appoint chairmen of special committees subject to approval of 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 its bylaws and standing rules to **The Colony High School** principal;
- i. submit to the LISD accounting office and principal forms required by Lewisville ISD.

Section 2. The Vice President shall:

- a. act as aide-to-the-president, and
- b. preside in the absence of the president

Section 3. The Secretary shall:

- a. record the minutes of all meetings of the organization;
- b. maintain a compilation of the organization's minutes;
- c. be responsible for correspondence; ensures all notices are duly given in accordance with the provisions of these bylaws, or as required by law and works with chairmen on bulletins & communications;
- d. have a current copy of the bylaws; and
- e. maintain a current membership list.

Section 4. The Treasurer shall:

- a. have custody of all the funds of the organization;
- b. keep books of account and records including bank statements, receipts, budgets, invoices, paid receipts and canceled checks for five years;
- c. make disbursements in accordance with the budget adopted by the organization;
- d. sign on bank accounts (two of three authorized signatures shall be required on all checks);
- e. present a financial report, both written and verbal, at every meeting of the unit and as requested by the executive board or the organization; makes a full report at the annual meeting;
- f. file all local, state and federal documents and tax filings in an accurate and timely manner in order to maintain our 501c3 nonprofit tax exempt status;
- g. be responsible for the maintenance of such books of account and records as conform to the requirements of Article V, Section 4 of these bylaws; and
- h. submit books to the audit committee as requested.

Section 5. The Parliamentarian shall:

- a. maintain order at meetings;
- b. outline what can and cannot be done during a specific meeting;

- c. delineate the duties of officials within an organization based on Robert's Rules of Order, the accepted standard rules for conducting meetings.

Section 6. The Junior Varsity Liaison shall:

- a. be a parent or guardian of a current Junior Varsity Member
- b. attend all meetings of the Executive Board
- c. communicate and represent the best interests of the Junior Varsity Dance team and parents

Section 7. All officers shall:

- a. attend all meetings of the organization;
- b. vote and or appoint a third Executive Board member to be an authorized signor in addition to the President and Treasurer, on all checks, drafts, other forms of payment of money, or notes of indebtedness & financial documents issued in the organization's name and requiring multiple signatures.
- c. perform the duties outlined in these bylaws and those assigned from time to time; and
- d. deliver to their successors or the president all official materials within fifteen (15) days following the date at which their successors assume their duties.

Section 8. Limitation of Authority of Officers:

- a. No officer of the organization shall have the power to engage in any act, make any expenditure, or enter into any contract creating any obligation for the organization unless said act is strictly incidental to the purpose and scope of the organization, approved by majority vote, and documented in writing.
- b. Members of the Executive Board may authorize any officer or officers to enter into a contract, or execute and deliver an instrument in the name of or on behalf of the organization. Such authority must be approved by majority vote, be in written form, and may be general or confined to specific instances.

ARTICLE VIII : Duties of Sponsor

Section 1. The sponsor/coach of the organization, or administrators on their own campus shall not be a member, hold office, or have voting privileges on the executive board. However, the sponsor/coach will work closely with the executive board to facilitate planning and communication.

ARTICLE IX: Meetings

Section 1. This organization shall hold minimum of 4 meetings a year.

- a. Regular meeting dates will be established by the executive board. Time and dates will be announced to the membership at its first meeting of the year. Written or printed notice, stating the location, date and time of regular meetings of members shall be delivered no less than ten days before the date of the meeting to each member entitled to vote at such meeting. Five days' notice shall be given if change of date is needed.
- b. A meeting held in April shall be the election meeting.
- c. A 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 organization may be called by the President or by a majority of the executive board, at least three days' notice having been given.

Section 3. Quorum:

- a. A majority of the members present in person shall constitute a quorum for the transaction of business in any meeting of this organization;
- b. If quorum is not present at any meeting of members, the members present in person and entitled to vote, shall have power to adjourn the meeting until a quorum is present;
- c. The act of the majority of the members of the organization present at a meeting at which quorum is present, shall be the act of the organization, except where otherwise prohibited by law or these bylaws.

Section 4. Order of Business:

- a. Roll Call, establish Quorum
- b. Presentation and Approval of Minutes from preceding meeting
- c. Report of Officers
- d. Committee Reports
- e. Election of Officers (when appropriate)
- f. Old Business
- g. New Business
- h. Adjournment

Section 5. Waiver of Notice: Whenever notice is required to be given under the provisions of the Bylaws of this organization, a waiver thereof, in writing, signed by the person or persons entitled to such notice, whether before or after the time stated therein, shall be deemed equivalent to the giving of such notice.

ARTICLE X: Executive Board

Section 1. The executive board shall consist of the officers of the organization 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 an officer or chairman 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 organization meetings and such other business as may be referred to it by the organization;
- b. present a report at the regular meetings of the organization;
- c. approve Plans of Work for all officers and committee chairmen;
- d. appoint an audit committee consisting of not less than three members, who are not authorized signers, at least thirty (30) days before the annual meeting, to audit the treasurer's accounts;
- e. fill vacancies of officers and chairmen;
- f. prepare and submit a budget for the year to the organization for adoption;
- g. approve routine bills within the limits of the budget; and
- h. 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 organization meeting, the time to be fixed by the board at its first meeting of the year.
- b. A majority of the executive board members, excluding advisory directors, shall constitute a quorum.
- 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.
- d. Any action required to be taken at a meeting of the Executive Board, may be taken without a meeting of consent, if action to be taken is presented in writing, and signed by all members of the executive board. Such consent shall have the same force and effect as a unanimous vote at a meeting.

ARTICLE XI: Standing and Special Committees

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

Section 2. The Officers of the board may create, designate & appoint such standing and special committees as it may deem necessary to carry on the work of the organization. Each committee shall act within the general confines of the title of said committee. No committee shall have the power of final decision.

Section 3. The President shall appoint committee chairmen as needed by the nature of work to be conducted. The term of each chairman shall be either one (1) year, until the selection of a successor, or until the work assignment is complete.

Section 4. 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.

Section 5. 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. Vacancies in committee membership may be filled by appointment.

Section 6. The Fundraising Standing Committee Chair shall:

- a. speak with all members of the Executive Board and team Director to determine the amount of funds the organization needs to operate successfully, and what the organization is willing to do to secure such funds;
- b. attend all meetings, present ideas on fundraising, and report fundraising results to the Executive Board, booster club members and administration;
- c. make phone calls and send correspondence to vendors, sponsors, community members and local businesses in order to obtain the needed funds to sustain the organization;
- d. coordinate all efforts required for fundraising

Section 7. All standing committee chairmen shall:

- a. schedule regular meetings to be held whenever most convenient for committee members to conduct business in a timely manner;
- 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. Upon completion of work, a Committee Report shall be presented to the general membership as requested;
- 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.

Section 8. The president shall be a member ex-officio of all committees except the nominating and audit committees.

Section 9. The quorum of any committee shall be a majority of its members. An act of its members present at a meeting in which quorum is present shall be the act of the committee.

ARTICLE XII: Fiscal Year

Section 1. The fiscal year of this organization shall begin on **May 1** and end **April 30** of each year, as designated in the organization's founding documents.

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.

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

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 organization, 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 organization, 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.
- 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.

Section 3. If any portion of these bylaws shall be invalid or inoperative, then so far as is reasonable and possible:

- a. The remainder of the bylaws shall be considered valid and operative, and
- b. Effect shall be given to the intent manifested by the portion held invalid or inoperative.