

Constitution and Bylaws of the Davenport Band Boosters

ARTICLE I - NAME

Section 1.1 The Name of this organization shall be the Davenport Band Boosters referred to as the Organization in these Bylaws.

ARTICLE II - PURPOSE

Section 2.1 Provide adult support and assistance to the band and color guard of Davenport High School and its Directors.

Section 2.2 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 2.3 Provide supplementary financial and program support in accordance with Comal ISD Booster Club Guidelines, dated June 2019.

Section 2.4 Strive for close coordination and understanding between music organizations, school, and community.

ARTICLE III - OBJECTIVE

Section 3.1 To accept, raise and disburse funds and otherwise assist the band, in compliance with legal authority or CISD policy and in accord with band directors.

Section 3.2 Assist in band functions when requested by the band director.

Section 3.3 To promote community spirit, participate in community functions, and to encourage a spirit of fellowship and cooperation among the membership of the Organization.

ARTICLE IV - FISCAL YEAR

Section 4.1 The fiscal year for the Davenport Band Boosters is June 1st - May 31st.

ARTICLE IV - MEMBERSHIP

Section 4.1 The Organization's membership shall be parents or legal guardians of students in any of the Davenport High School Band programs.

Section 4.2 Regular Members

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- a. Parents or legal guardians who are in good standing (see Section 4.7)
- b. Regular members may do the following:
 - i. Vote at meetings
 - ii. Make motions at meetings
 - iii. Chaperone at events
 - iv. Volunteer at events
 - v. Serve as committee members
 - vi. Hold Office

Section 4.3 Honorary Members:

- a. Associate Band Directors and their spouses.
- b. Superintendent, Assistant or Associate Superintendents, and Curriculum Director(s) of the Comal Independent School District and their spouses.
- c. Any adult who is willing to support the purposes and policies of this organization.
- d. Honorary Members may do the following:
 - i. Chaperone at Events
 - ii. Volunteer at Events
 - iii. Must be approved by the Band Director

Section 4.4 Alumni Members

- a. Previous students and their parents or legal guardians who participated in any of the Davenport High School Band programs.
- b. Alumni Members may do the following:
 - i. Chaperone at events
 - ii. Volunteer at events
 - iii. Must be approved by the Band Director.

Section 4.5 Davenport Band Booster Officers

- a. All Officers shall be voting, 'regular' members of the organization, except for the treasurer.
- b. The treasurer can be an honorary or alumni member if they are an accounting professional and nominated by the Band Director.

Section 4.6 All volunteers and chaperones must meet all district and band requirements for volunteering.

Section 4.7 Good standing is defined as individuals who:

- a. Have a student currently enrolled and active in program.
- b. Have paid Davenport Band Boosters membership dues. The yearly all-inclusive membership fee per family shall be determined by the Executive Board each year. Each adult person's name listed on the membership roster, taken from the sign-up forms, shall be considered a voting member, with up to two votes per family.

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- c. Have paid annual band obligations or paid to date on approved payment plan.
- d. Adhere to CISD Code of Conduct.

- Section 4.8 On recommendation of the Executive Band Director, or Administrator, or a majority of elected officers, the officers may by a majority vote suspend and/or remove the membership of any Board, regular, honorary or alumni membership that causes detriment to the Davenport Band Program, Directors, Students or Organization.
- a. Member will be notified in writing reasons for suspension and/or removal from organization.
 - b. Member will be given the opportunity to counsel with the Band Director.
 - c. Member will be notified in writing with Executive Board's decisions within 30 days of initial notification.
 - d. Members that have been reinstated after suspension or removal may not run for office.
 - e. Board members that have been removed from an officer position may not run for office in the future.
- Section 4.9 Any request for reinstatement must be made in writing to the Executive Board. Executive Board will review request and determine whether or not to reinstate member.

ARTICLE V - MEETINGS

- Section 5.1 The general meeting of the membership-at-large shall be held a minimum of four times yearly: Twice in the Fall, February, and April. The Executive Board shall determine the meeting dates, times, and places for general membership meetings.
- Section 5.2 A quorum is the number of persons present at the time, since they constitute the entire membership at that time.
- Section 5.3 Special and general membership meetings may be called by the President or a majority of the Executive Board. Business transacted at a special general membership meeting shall be limited to the purpose for which the meeting was called. Special and general membership meetings shall be held on the campus of Davenport High School.
- Section 5.4 Notice of all meetings of the booster organization should be published at the campus seventy-two hours prior to the meeting date. The notice should clearly indicate the date and time of the meeting and the items to be discussed.
- Section 5.5 The Executive Board shall determine dates and times of meetings. A simple majority of the Officers shall constitute as quorum.

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ARTICLE VI - OFFICERS

Section 6.1 The elected officers of the band booster's organization will be the President, Vice President, Secretary, and Treasurer. The officers shall be elected by the majority vote of the members eligible to vote in attendance at the elections at the April meeting. Only active members in good standing shall be permitted to hold office. Employees of the district shall not serve in a financial capacity of a booster or other parent organization. Financial capacity includes holding position of treasurer, fund raising chairperson, or serving as a check signer.

Section 6.2 There shall be an Executive Board composed of the elected officers, the parliamentarian, the Band Director, and the Davenport High School Principal (or their designee.)

Section 6.3 The President shall

- a. Preside at all meetings of the Organization and Executive Board.
- b. Regularly meet with the Band Director regarding booster activities.
- c. Resolve problems in the membership.
- d. Regularly meet with the treasurer of the organization to review the organization's financial position.
- e. Schedule annual audit of records or request an audit if the need should arise during the year.
- f. Appoint a parliamentarian.
- g. Call and preside over all meetings of the Executive Board.
- h. Appoint a general member to fill a vacancy caused by the resignation or incapacity of any elected officers, in accordance with the Constitution with the approval of the elected officers.
- i. Appoint chairperson of standing and special committees, with the approval of the elected members.
- j. Be an ex-officio member of all committees except for the Nomination Committee.
- k. Co-sign checks along with the Treasurer for all booster club expenditures.
- l. Select an executive board member as the designee to review bank statements. This individual shall not be a signer on the account. Upon receipt, the designee should review the activity on the bank statement. This provides an independent review by an individual not associated with disbursement activity.
- m. Appoint at least a two-member audit committee excluding signers on the account. This committee will be appointed in April of each year so that the audit report can be presented during the first fall semester general membership meeting. The President is also responsible for insuring an audit is performed whenever a Treasurer resigns or is terminated and at any other time deemed necessary by the Executive Board.
- n. Appoint an exec board member as chaperone coordinator.

Section 6.4 The Vice-President shall

- a. Act as the President's representative in his/her absence.
- b. Preside at meetings in the absence or inability of the president to serve.
- c. Perform administrative functions delegated by the president.
- d. Succeed to the office of the President to complete the unexpired term in the event of a permanent vacancy in the office of the President.
- e. Oversee all committees.
- f. Co-sign checks along with the Treasurer in the absence of the President.

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Section 6.5 The Secretary shall

- a. Report on any recommendations made by the executive board of the booster organization.
- b. Maintain records of the minutes, approved bylaws and any standing committee rules, current membership and committee listing.
- c. Record all business transacted at each meeting of the association as well as meeting of any executive board meetings in a prescribed format.
- d. Maintain records of attendance of each member.
- e. Conduct and report on all correspondence on behalf of the organization.
- f. Record, sign, present, and maintain minutes of the Executive Board, special meetings, and the general membership meetings.
- g. Prepare reports and conduct the general correspondence of the organization.
- h. Bring a current copy of the Constitution and By-Laws to all meetings, together with a list of the membership and members of all standing and special committees, and prepare and bring voting materials to the election meeting.
- i. Record the attendance at each Executive Board meeting.
- j. Record attendance at each General Membership meeting.
- k. Provide a copy of the minutes and Treasurer's report to the Principal of Davenport High School and each of the band directors.
- l. Provide all new members the opportunity to review a copy of the current Constitution and By Laws.
- m. Collect general membership forms for the Davenport Band Boosters.

Section 6.6 The Treasurer Shall

- a. Serve as chairperson of the Budget and Finance Committee.
- b. Receive and disburse all funds belonging to the Davenport Band Boosters, and keep records in accordance with good accounting practices and district guidelines.
- c. Reconcile all bank statements as received and resolve any discrepancies with the bank immediately.
- d. Pay bills upon receipt of itemized statements. Must insure that the President or another officer (whose name is listed on the bank signature card; however, is not a spouse) has cosigned checks prior to issuing payment.
- e. Deposit all monies received on a weekly basis, but prior to holidays and weekends (daily, if receipts on hand exceed \$250.00).
- f. Maintain an accurate and detailed account of all monies received and dispersed
- g. Present a current financial report including bank statements, bank reconciliations, and financial statements to executive committee within thirty days of previous month's end, copies should be available for review by general membership if requested. A signed copy of the report should be presented to the President and to the Secretary for posting of the minutes.
- h. File current financial reports at the end of each fiscal year (by June 15) with the campus principal, campus bookkeeper, and the District Staff Accountant.
- i. File sales tax reports as required by the Comptroller's office (monthly, quarterly, or annually) if required.
- j. File all required annual IRS forms including 990 and 1099 before turning over the books in June.
- k. Present records for audit to the Audit committee in June of each year and at such time as an audit may be requested by the Executive Board and by the Principal of Davenport High School. Records will also be presented for audit in the event the Treasurer resigns or is terminated.

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1. The Treasurer as well as any other individuals required to handle funds belonging to the association should be covered by fidelity bond in the amount based upon the organization's annual income and determined by the Executive Board.

Section 6.7 The Parliamentarian shall

- a. Advise the presiding officer on parliamentary law and matters of procedure when requested.
- b. Be thoroughly familiar with the by-laws and any standing rules of the group. A copy of Robert Rules of Order Newly Revised should be maintained by the organization and referenced as needed.

ARTICLE VII - NOMINATIONS, ELECTIONS & INSTALLATIONS

Section 7.1 A Nominating Committee, formed at the February meeting, should be charged with soliciting recommendations for officer positions within the organization. The committee should then contact the potential candidate directly to ascertain their willingness and desire to serve. The nominating committee should report back to the membership on their results in April so that elections may be held.

Section 7.2 The Nominating Committee shall consist of five voting members; two of the members shall be members of the Executive Board and shall be appointed by the Board; two additional members shall not be members of the Executive Board. The first order of business of the Nominating Committee shall be to elect its chairperson. Members of the Nominating Committee shall be eligible to become nominees.

Section 7.3 Additional nominations may be made from the floor at the April meeting.

Section 7.4 The officers listed in Article VI shall be elected at the April meeting each year. The election will be conducted by ballot.

Section 7.5 If there is only one nominee for office, election by acclamation will be permitted upon proper motion.

Section 7.6 Ballots will be counted and validated by a representative of CISD.

Section 7.7 The nominee receiving the majority vote shall be elected.

Section 7.8 Officers shall hold office from June 1 through May 31 of the following year.

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ARTICLE VIII - COMMITTEES

- Section 8.1 Committee Chairpersons shall be appointed by the President with the approval of the Executive Board. The Band Director shall be ex-officio members of all committees. The Committee Chairpersons shall be supervised by and report to the Vice President of the Davenport Band Boosters. The Standing Committees consist of the following:
- Section 8.2 *The Ways and Means Committee* shall consist of one chairperson and at least one other member. This committee organizes all fundraisers and shall have the prerogative of asking assistance of the other committees and the President to appoint special committees. The committee must follow all district guidelines.
- Section 8.3 *The Uniform Committee* will distribute, maintain, and organize band uniforms and the uniform room.
- Section 8.4 *The Band Banquet Committee* shall consist of a chairperson and at least one other member. The committee is to ensure recognition is given to outgoing officers of the Davenport Band Boosters and any other appropriate persons who have made a contribution to the Davenport Band Boosters organization. The committee will help to recognize the achievements of the DHS band students in coordination with the respective band directors. The committee must operate within the budget set by the approved budget. All expenditures must be turned in within 10 days of the event to the Treasurer.
- Section 8.5 *The Audit Committee* shall, at the end of the fiscal year, conduct an audit of the booster club's financial records. The audit should be performed by individuals who are independent from day-to-day financial activities. The audit committee must consist of at least two members. The audit committee shall make a report to the general membership upon completion of the audit. Any discrepancies noted shall be brought to the attention of the president of the organization and a resolution should be made prior to presentation. The audit committee shall
- a. Verify the accuracy of the Treasurer's financial reports.
 - b. Ensure that the booster club's cash balances are accurate.
 - c. Determine that established procedures for handling booster funds have been followed.
 - d. Ensure that expenditures occurred in a manner consistent with the organization's bylaws.
 - e. Ensure that all revenues have been appropriately received and recorded.
 - f. Complete the transfer of the records and audit of the accounts no later than July 1st of each year.
- Section 8.6 Special committees are created for a specific purpose and voted upon by the membership. The committee is automatically dissolved as soon as that purpose is accomplished and the committee report is made. Special committees should complete their assignments within the current school year. If the objectives are not met, at the end of the school year, officers will be required to reappoint members of the committee for the following year until the purpose of the committee is

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achieved. Individuals who have a conflict of interest shall not be allowed to serve as members of the committee.

Section 8.7 The President shall define the responsibility of each Standing and Special Committee. The President will appoint Standing Committee Chairpersons, as necessary, with the concurrence of the Executive Board.

Section 8.8 Chairpersons shall select Committee Members.

- a. Committee Chairpersons or designees shall attend general membership meetings, present reports to the membership and attend meetings of the Executive Board as requested by the President.
- b. Standing and Special Committee business shall be conducted by a simple majority vote of committee members present.

ARTICLE IX - FINANCES

Section 9.1 The expenses of the Organization shall be borne by revenues from fund-raising, concessions, donations, and other sources of income.

Section 9.2 The Organization shall operate on a budget adopted by a majority vote of the Regular Members at the first general membership meeting of the school year. The budget may be amended during the school year by a majority vote of the Regular Members present.

Section 9.3 Non-budgeted expenses.

- a. The President and one Executive Officer shall have authority to approve non-budgeted expenditures not expected to exceed \$200.00.
- b. Non-budgeted expenses expected to exceed \$200.00 must be approved by the Band Director.
- c. Non-budgeted expenditures expected to exceed \$200.00 but not to exceed \$2,000.00 must be approved by a majority vote of the Executive Board.
- d. Non-budgeted expenses expected to exceed \$2,000.00 must be approved by the Band Director and the general membership by vote.

Section 9.4 The Organization shall maintain a checking account in a bank or savings institution whose accounts are insured by the FDIC, FSDIC, or other agency of the United States Government.

Section 9.5 The Davenport Band Boosters shall in conjunction with the band director, complete a fund raising application for each event and receive the approval of the Davenport High School Principal. A copy of this application must be forwarded to the Business Services Dept. The Davenport Band Boosters will follow district guidelines on fundraising.

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ARTICLE X - TAX STATUS and DISSOLUTION

- Section 10.1 The Organization is established exclusively for charitable and educational purposes within the meaning of Section 501(c) (3) and 170 (c) (2) of Internal Revenue Service Code of 1986 (or the corresponding provision of any future United States Internal Revenue Law.)
- Section 10.2 To dissolve, a resolution shall be adopted by the booster organization (or the executive board if the organization is inactive) stating that the question of such a dissolution be submitted to a vote at a special meeting of the members having voting rights. At least 30 days prior to the meeting, written or printed notice shall be given to each member entitled to vote stating that the purpose of such meeting is to consider the advisability of dissolving the organization. The booster organization must determine the distribution and usage of treasury monies and other assets before dissolution.

ARTICLE XI - REVIEW AND AMENDMENTS OF BYLAWS

- Section 11.1 The Constitution and By-Laws may be amended, revised or revoked by two-thirds vote of the membership-at-large present at a general membership meeting.
- Section 11.2 Any proposed changes to the Constitution and By-Laws shall be presented to the general membership, and will be voted on by the membership-at-large at the following general membership meeting.
- Section 11.3 All adopted amendments will be submitted in accordance with Comal ISD Booster Club Guidelines, dated June 2019, which requires the approval of the Principal of Davenport High School.
- Section 11.4 The membership shall be advised of the availability of the Constitution and By-Laws at the first meeting each fiscal year.

ARTICLE XII - ADOPTION OF BYLAWS

- Section 12.1 These Bylaws become effective, upon adoption by a majority of the Voting Members present at the first general membership meeting after they have been presented for review to the general membership.

ARTICLE XIIV - Parliamentary Authority

- Section 13.1 All parliamentary procedure not covered by this constitution shall be governed by Robert's Rules of Order, Revised.