

CONSTITUTION AND BY-LAWS

DeSoto Band Boosters Club, Inc.

ARTICLE ONE

NAME

- 1.1. The name of this organization shall be the DeSoto Band Boosters Club, Inc. (Herein known as the "Club").

ARTICLE TWO

PURPOSE

- 2.1. This nonprofit organization is organized for the sole purpose of encouraging and promoting DeSoto High School (DHS) band students, to stimulate and maintain interest in the DHS band program and to give all possible support both moral and financial, to the DHS band program.
- 2.2. The Club commits itself to cooperate with school officials for both building and maintaining an efficient band program and for promoting general activities pertaining to the band in cooperation with the UIL guidelines for booster clubs, taking precaution not to interfere with the curriculum and direction of the DHS Director of Bands and his staff.
- 2.3. This Club is organized exclusively for charitable and educational purposes within the meaning of section 501(c)(3) of the Internal Revenue Code.
- 2.4. Notwithstanding any provision of these articles, the Club shall not carry on any other activities not permitted to be carried on by an organization exempt from federal income tax under section 501(c)(3) of the Internal Revenue Code.
- 2.5. No part of the net earnings of the Club shall be for the benefit of, or be distributed to, its members, trustees, officers, or other private persons, except those that the Club shall be authorized and empowered to pay reasonable compensation for services rendered and to make payments and distribution in furtherance of the purposes set forth. No substantial part of the activities of the organization shall be the carrying on of propaganda, or otherwise attempting to influence legislation, and the organization shall not participate in, or intervene in (including the publishing or distribution of statements) any political campaign on behalf of or in opposition to any candidate for public office.
- 2.6. Upon dissolution of the Club, assets shall be distributed to one or more exempt purposes within the meaning of section 501(c)(3) of the Internal Revenue Code.

**ARTICLE THREE
MEMBERSHIP**

- 3.1. Membership shall consist of all DHS band parents and other interested persons within the DeSoto Independent School District community.
- 3.2. No dues shall be required for membership.
- 3.3. Any member has the right to file a grievance by making such complaints in writing and submitting it to the Executive Committee. The Executive Committee will investigate the grievance and make all attempts to settle the grievance among all parties involved. If the grievance cannot be settled by the executive committee, or if the petitioner does not feel the decision was appropriate, the issue may be taken by any party to the DHS Director of Bands, who will provide final ruling on the matter.

**ARTICLE FOUR
OFFICERS**

- 4.1. There shall be the following officers: President, Vice President, Secretary, Treasurer/Student Accounts, Assistant Treasurer/Student Accounts, Head Chaperone, Head Uniforms/Spirit Wear, Head Fundraising-Eagle Concessions, Head Fundraising-Major Events Concessions, Head Fundraising-Other, Webmaster/Publicity and Color/Winter Guard.
- 4.2. All officers shall be elected by the membership. The term of office shall be one (1) year. Officers may serve multiple terms in any office if so voted by the membership. These elected officers comprise of the Executive Committee, but are still considered members of the booster club for all purposes expressed therein.
- 4.3. Candidates for officer shall be active members and shall be elected at the April general membership meeting. Newly elected officers shall serve as non-voting board members to assist the out-going officers through the last general membership meeting in May.
- 4.4. A vacancy in any office shall be filled by the Executive Committee for the unexpired portion of the term.
- 4.5. Any officer may resign from his office by delivering his written resignation to the secretary or president, and such resignation shall be effective immediately upon delivery to the President or Secretary.
- 4.6. At all meetings of the Executive Committee, a majority of the officers shall constitute a quorum for the transaction of business and the act of a majority of the officers present at any meeting at which there is a quorum shall be the act of the Executive Committee. If a quorum is not present at any meeting of the Executive Committee, the officers present may adjourn the meeting without notice other than announcement at the meeting, until a quorum shall be present.

**ARTICLE FIVE
DUTIES OF THE OFFICERS**

- 5.1. The President shall preside at all general membership meetings of the Club and at all meetings of the Executive Committee, and shall perform the duties usually assumed by a presiding officer, and such other duties as may be prescribed by the Executive Committee from time to time. The President may call general membership meetings in accordance with Article Six, as set out below, and as he/she deems necessary.
- 5.2. The Vice President shall have charge and custody of the Classic Marching Contest committee. The Vice President shall also be the assistant to the President in all activities. In the absence of the President or in the event of his/her inability or refusal to act, the Vice President shall perform the duties of the President, and when so acting, shall have all of the powers of the President. The Vice President shall perform other such duties as assigned by the President or the Executive Committee.
- 5.3. The Secretary shall keep an accurate record of all executive committee meetings, called meetings, and regular membership meetings, take care of the correspondence, and in general perform all duties incident to the office of Secretary. In addition, the Secretary will be in charge of the band roster (including student and parent contact information). The Secretary shall perform other such duties as may be assigned by the President or the Executive Committee.
- 5.4. The Treasurer/Student Accounts and Assistant Treasurer/Student Accounts shall have charge and custody of and be responsible for all funds of the Club, receive and give receipts for monies due and payable to the Club, deposit all such monies in the name of the DeSoto Band Boosters Club, Inc. in such banks or other depositories as shall be selected by the Executive Committee, and disperse those funds as needed by the Club with an accounting of receipts and disbursements at each monthly meeting. The Treasurer and Assistant Treasurer shall be responsible for all the records that pertain to student accounts for the DHS band students. They will establish and maintain a record of all monies distributed into student accounts. The Treasurer and Assistant Treasurer shall perform other such duties as may be assigned by the President or the Executive Committee.
- 5.5. Head Chaperone shall be responsible for organizing and scheduling all adult chaperones for all away football games, band competitions, band trips and any other such band event as so directed by the DHS Director of Bands and/or his staff. The Head Chaperone shall perform other such duties as may be assigned by the President or the Executive Committee. The Head Chaperone may appoint an Assistant Head Chaperone to assist with the Head Chaperone's duties and act in their behalf in the Head Chaperone's absence. The Assistant Head Chaperone is not an Executive Committee position unless acting in behalf of the Head Chaperone. The Assistant Head Chaperone must be approved by the Executive Committee.
- 5.6. Head Uniforms/Spirit Wear shall be responsible for the distribution and collection of marching band uniforms, tuxedos and all associated accessories. In addition, Head Uniforms/Spirit Wear will be responsible for coordinating the ordering of concert dresses. Sales and orders for all booster club related clothing items (shirts, caps, and jackets) shall also be under the direction of Head Uniforms/Spirit Wear. Head Uniforms/Spirit Wear shall also perform other such duties as may be assigned by the President or the Executive Committee. The Head Uniforms/Spirit Wear may appoint an Assistant Head Uniforms/Spirit Wear to assist with the Head Uniforms/Spirit Wear's duties and act in their behalf in the Head Uniforms/Spirit Wear's absence. The Assistant Head Uniforms/Spirit Wear is not an Executive Committee position unless acting in behalf of

- the Head Uniforms/Spirit Wear. The Assistant Head Uniform/Spirit Wear must be approved by the Executive Committee.
- 5.7. Head Fundraising – Eagle Concessions shall be responsible for all the activities that pertain to the DHS band concession stand at Eagle Stadium. These activities include all those associated with managing the concession stand for all home games, band competitions and any other such band event as so directed by the DHS Director of Bands and/or his staff or the Executive Committee. These duties include, but are not limited to, scheduling and notifying all volunteer workers and working with third party vendors. Head Fundraising – Eagle Concessions shall also provide accurate records of all activities for the Treasurer/Student Accounts. Head Fundraising – Eagle Concessions shall perform other such duties as may be assigned by the President or the Executive Committee. The Head Fundraising – Eagle Concessions may appoint an Assistant Head Fundraising – Eagle Concessions to assist with the Head Fundraising – Eagle Concessions’ duties and act in their behalf in the Head Fundraising – Eagle Concessions’ absence. The Assistant Head Fundraising – Eagle Concessions is not an Executive Committee position unless acting in behalf of the Head Fundraising – Eagle Concessions. The Assistant Head Fundraising – Eagle Concessions must be approved by the Executive Committee.
 - 5.8. Head Fundraising – Major Events Concessions shall be responsible for all the activities that pertain to working the concession stand at the Dallas Cowboy Football games and other major events. These duties include, but are not limited to, scheduling and notifying all volunteer workers. Major Events Concessions shall also provide accurate records of all activities for the Treasurer/Student Accounts. Head Fundraising – Major Events Concessions shall perform other such duties as may be assigned by the President or the Executive Committee. Head Fundraising – Major Events Concessions may appoint an Assistant Head Fundraising – Major Events Concessions to assist with the Head Fundraising – Major Events Concessions’ duties and act in their behalf in the Head Fundraising – Major Events Concessions’ absence. The Assistant Head Fundraising – Major Events Concessions is not an Executive Committee position unless acting in behalf of the Head Fundraising – Major Events Concessions. The Assistant Head Fundraising – Major Events Concessions must be approved by the Executive Committee.
 - 5.9. Head Fundraising - Other shall be responsible for providing fundraising events for the DHS band program throughout the year. Duties shall include, but are not limited to, scheduling, evaluating and promoting fundraising events, collecting all monies and providing accurate records of all activities for student accounts. All fundraising monies shall be turned over to the Treasurer or Assistant Treasurer for deposit. Head Fundraising - Other shall also perform other such duties as assigned by the President or the Executive Committee. The Head Fundraising - Other may appoint an Assistant Head Fundraising - Other to assist with the Head Fundraising - Other’s duties and act in their behalf in the Head Fundraising - Other’s absence. The Assistant Head Fundraising - Other is not an Executive Committee position unless acting in behalf of the Head Fundraising – Other. The Assistant Head Fundraising - Other must be approved by the Executive Committee.
 - 5.10. The Webmaster/Publicity shall be responsible for maintaining or overseeing the maintenance of the DeSoto Eagle Band web site. This includes, but is not limited to, page design, information content, calendars and graphics. This position will also be responsible for reporting band events/stories to local newspapers, as well as maintaining the photo album section on the web site. The Webmaster shall also perform other such duties as prescribed by the President or the Executive Committee.. The Webmaster/Publicity may appoint an Assistant Webmaster/Publicity to assist with the Webmaster/Publicity’s duties and act in their behalf in the Webmaster/Publicity’s absence. The Assistant Webmaster/Publicity is not Executive Committee position unless acting in behalf of the

Webmaster/Publicity. The Assistant Webmaster/Publicity must be approved by the Executive Committee.

- 5.11. Color/Winter Guard shall be responsible for assisting the DHS Color Guard Director. Responsibilities may include chaperoning, planning, organizing and overseeing all Color Guard/Winter Guard necessities for all football games and Winter Guard competitions as so directed by the DHS Director of Bands and/or his staff. The Color/Winter Guard will be responsible for seeing that the Color Guard/Winter Guard operates under the same umbrella as the rest of the DHS Band and that all Color Guard/Winter Guard participants are included in all band fundraisers and activities. Color/Winter Guard shall perform other such duties as may be assigned by the President or the Executive Committee. The Color/Winter Guard may appoint an Assistant Color Guard to assist with the Color/Winter Guard's duties and act in their behalf in the Color/Winter Guard's absence. The Assistant Color/Winter Guard is not Executive Committee position unless acting in behalf of the Color/Winter Guard. The Assistant Color/Winter Guard must be approved by the Executive Committee.

**ARTICLE SIX
MEETINGS**

- 6.1. The Executive Committee may conduct the ordinary business of the Club as approved by the vote of the general membership, and shall consist of all elected officers and the DHS Director of Bands and/or his designee.
- 6.2. The Executive Committee shall meet prior to each regular general membership meeting, and at such time as deemed necessary, to determine and carry out effectively the purpose of the Club. The Executive Committee may also invite chairpersons of standing committees to attend these meetings.
- 6.3. The President shall call an Executive Committee meeting at his/her discretion. Three (3) or more officers may call an Executive Committee meeting if the officers feel the need, or if the President is unable or unwilling to call said meeting.
- 6.4. General membership shall meet in regular session not more than once a month from August through May. Meetings shall be held on the last Tuesday of each month, or as scheduled by the President and/or the Executive Committee.
- 6.5. General members present and a majority of the members of the Executive Committee shall constitute a quorum at the general membership meeting.

**ARTICLE SEVEN
STANDING AND SPECIAL COMMITTEES**

- 7.1. The President shall appoint chairpersons of committees necessary to carry on the work of the Club. The President shall be considered an ex-officio member of all committees. All committees' actions, expenditures, and decisions shall be communicated to the President prior to any action being taken by the committee.

**ARTICLE EIGHT
AMENDMENTS**

- 8.1. The Constitution and Bylaws may be changed or amended by a majority vote of the members present at a regularly scheduled general membership meeting, providing there has been public notification.
- 8.2. If any portion of these bylaws shall be invalid or inoperative, then, so far as is reasonable, the remainder of these bylaws shall be considered valid and operational and effect shall be given to the intent manifested by the portion held invalid or inoperative.
- 8.3. Any change or amendment is subject to the approval of the DHS Director of Bands.

**ARTICLE NINE
BYLAWS**

- 9.1. All policies pertaining to the operation of DeSoto Band Boosters Club, Inc. shall be under the jurisdiction of the DHS Director of Bands, the DeSoto Independent School District and in accordance with the UIL guidelines for booster clubs.
- 9.2. Any tangible property purchased by the Club for the benefit of the band and the band students will become property of the DeSoto Independent School District.
- 9.3. All funds disbursed shall be required to have a receipt or bill before payment is issued.
- 9.4. Books are subject to audit prior to the May general membership meeting or upon election or appointment of a new Treasurer, or as deemed necessary.
- 9.5. The Treasurer's book and the Secretary's book and all pertinent data shall be turned over to the respective incoming officers at the May meeting. The records are to be kept for five (5) years.
- 9.6. All documents, instruments, or writings of any nature shall be signed, executed, verified, acknowledged or delivered by such officer or officers, or such agent or agents of the Club and in such manner as the Executive Committee may determine.

**ARTICLE TEN
CONTRACTS, DEPOSITS AND FUNDS**

- 10.1. The Executive Committee may authorize any officer or officers, agent or agents of the Club, in addition to the officers so authorized by these bylaws, to enter into any contract and deliver any instrument in the name of and on behalf of the Club. Such authority may be general or confined to specific instances.
- 10.2. All funds of the Club shall be deposited to the credit of the Club in such banks, trust companies, or other depositories as the executive committee may select.
- 10.3. The Executive Committee may accept on behalf of the Club any contribution, gift, bequest, or devise for the general purpose or any special purpose of the Club.