

Flower Mound High School Football Booster Club

Constitution and Bylaws

TIN – 75-2817984

Last Revision: 03/17/2025

Article I – Name

The organization is a nonprofit association incorporated under the laws of the State of Texas and is officially named the Flower Mound High School Football Booster Club (FMHS FBC). Its principal mailing address is P.O. Box 270831, Flower Mound, TX 75027-0831.

Article II – Articles of Organization

The Articles of Organization of FMHS FBC consist of: (a) the organization's bylaws, and (b) the certificate or articles of incorporation, if applicable, or equivalent organizational documents for an unincorporated association.

Article III – Mission and Purpose

1. The mission of FMHS FBC is to support the Flower Mound High School Football Program (FMHS Football) by fostering a collaborative environment that celebrates high school football as a unifying community event. Through volunteerism and fundraising, the organization seeks to inspire excellence in academics, athletics, and sportsmanship.
2. FMHS FBC is organized and operated exclusively for charitable, educational, and community purposes, as defined under Section 501(c)(3) of the Internal Revenue Code, or corresponding section of any future federal tax code. The purposes include, but are not limited to:
 - A. Supporting FMHS Football through fundraising, volunteer activities, and community engagement to enhance athletic and educational opportunities for students.
 - B. Promoting camaraderie, school spirit, and a sense of community among students, families, and local residents.
 - C. Providing financial assistance for equipment, facilities, training resources, and other needs not covered by Lewisville Independent School District ("LISD") funds, as permitted by LISD and University Interscholastic League ("UIL") regulations.
3. To maintain compliance with the provisions of Section 501(c)(3):
 - A. No part of the net earnings of FMHS FBC shall inure to the benefit of, or be distributable to, any private individual or member of the organization, except for reasonable compensation for services rendered in furtherance of the organization's mission.
 - B. FMHS FBC shall not participate in, or intervene in (including the publication or distribution of statements), any political campaign on behalf of or in opposition to any candidate for public office.
 - C. FMHS FBC shall not carry on any activities not permitted for a tax-exempt organization under Section 501(c)(3) or for an organization to which contributions are tax-deductible under Section 170(c)(2) of the Internal Revenue Code.

4. To ensure Accountability and Transparency, FMHS FBC shall:
 - A. Maintain accurate financial and operational records in compliance with federal, state, and local laws.
 - B. Ensure all fundraising efforts, expenditures, and activities align with the mission and comply with IRS 501(c)(3) regulations.
 - C. Make financial reports and minutes available for review by members upon reasonable request.

Article IV – Basic Policies

1. The name of FMHS FBC or its affiliated school shall not be used for commercial endorsements, partisan interests, or purposes unrelated to the organization's mission.
 - A. FMHS FBC shall not direct school athletic programs.
 - B. FMHS FBC shall not participate in or intervene in political campaigns, including publishing or distributing statements.
2. FMHS FBC shall use only its own EIN; the LISD EIN is prohibited for booster club use.
3. FMHS FBC shall obtain and display a sales tax permit as required by Texas law.
4. No part of the net earnings of FMHS FBC shall benefit or be distributed to its organizational sponsor, members, directors, trustees, Board Officers, or any other private individuals. However, the organization is expressly authorized to pay reasonable compensation for services rendered and to make payments or distributions that further the purposes outlined in Article III. Such compensation and distributions must align with FMHS FBC's mission and comply with applicable nonprofit regulations to ensure proper governance and adherence to its tax-exempt status.
5. The membership roster shall not be sold or exchanged without general membership approval.
6. Expenditures and budgets must comply with Articles XIII (Prudent Reserve) and XIV (Fundraising Efficacy).
7. FMHS FBC shall maintain accurate and permanent financial records, open for inspection by members.
8. Board Officers must regularly attend meetings and events as outlined in Article XI.

Article V - Fiscal Year & Audit

1. The fiscal year runs from March 1 to February 28.

2. An audit committee of at least three (3) members, who are not Board Officers or authorized bank signers, shall be nominated by the Board at least 30 days before the fiscal year ends.
3. The audit committee's report must be adopted by FMHS FBC and submitted to LISD leadership by 30 April each year.

Article VI – Membership and Sponsorship

1. Membership is open to any person or organization supporting FMHS Football, regardless of race, color, creed, or national origin, provided they comply with UIL regulations and Article IV.
2. Annual membership levels and dues are determined by Board Officers. Payment of dues establishes membership.
3. Membership dues are non-refundable and valid from June 1 to May 31 of the following year.
4. Membership types:
 - A. Standard – Available to parents or legal guardians of an active FMHS Football student. Each Standard membership covers up to two parents/guardians but is limited to one vote per membership.
 - A. Supporter – Individuals without active FMHS Football students.
5. Each membership carries one vote.
6. Members shall enjoy all rights, responsibilities, and benefits of membership:
 - A. Vote in Board Officer elections.
 - B. Amend and approve general meeting minutes.
 - C. Attend meetings and functions.
 - D. Uphold FMHS FBC's principles and purposes.
 - E. Promote a positive image of FMHS Football and FMHS FBC.
 - F. Volunteer to support FMHS Football.
 - G. Benefits granted by Board Officers according to annual membership level.
 - H. Volunteering in support of FMHS Football.
7. Members are required to volunteer at a level aligned with their membership tier. As a volunteer-driven organization, FMHS FBC relies on active participation in areas such as concessions, fundraising, logistical support, and leadership roles. The success of FMHS Football depends on the collective efforts of its members to enhance the student-athlete experience. Volunteering not only strengthens the program but also fosters community, engagement, and a shared commitment to the athletes and coaches.

8. Business or individual sponsorships may be offered at levels set annually by Board Officers. Sponsors may not participate in governance or program oversight.
9. Sponsorship dues are non-refundable and provide benefits from August 1 to July 31, subject to eligibility and receipt of funds.
10. All members and sponsors must follow FMHS FBC, UIL, and LISD regulations. Violations may result in disciplinary action, including termination of membership or agreements.

Article VII – Board Officers and Their Election

1. Election and Eligibility

- A. Board Officers are elected by plurality of the general membership in January of the current fiscal year.
- B. Board Officers must be FMHS FBC members before taking office and maintain membership throughout their term.
- C. Immediate family members of current Board Officers may only serve in an Acting capacity with Board approval.
- D. Board Officers cannot sign checks payable to family members, and Acting Board Officers may not be authorized signers.

2. Board Composition:

- A. At a minimum, the elected Board Officer positions shall be as follows:
 1. President
 2. Vice President
 3. Treasurer
 4. Secretary
- B. Before electing new Board Officers, the Board may, at its discretion, create additional board positions to address specific duties or organizational needs. These positions will carry the same voting rights and responsibility to perform duties as the Board Officer roles outlined in this document. Each such position shall be established for a one-year term, with the option for annual renewal as determined by the Board.

3. Voting Policies

- A. Proxy voting is prohibited.
- B. Digital voting is permitted, when necessary, as determined by the Board President.

- C. For the purposes of electing Board Officers, a quorum is a majority of members present or submitting digital responses.
- D. In cases where there is only one candidate for a Board Officer position, the election may be conducted by a motion and second, followed by a voice vote, at the discretion of the presiding officer.

4. Transition and Term Limits

- A. Newly elected Board Officers shall assume responsibilities by 31 March and serve a one-year term or until successors are elected.
- B. No Board Officer may serve more than two consecutive terms in the same role unless approved by a majority of current Board Officers. Serving more than half a term counts as one term.

5. Nominating Committee

- A. The Nominating Committee will ensure a fair, neutral processes for nominating Board Officer candidates.
- B. Composed of three (3) members and one alternate, elected by plurality of the Board 60 days before elections.
- C. Members of FMHS FBC or LISD staff may serve on the nominating committee, but not the FMHS FBC President or Organization Sponsor.
- D. The committee selects a chairperson, verifies candidate consent, and presents nominees seven (7) days before elections.

6. Vacancies

- A. In the event the role of President is vacated, or the President is otherwise unable to fulfill his/her duties, the Vice President assumes the role of Acting President. The change in responsibility can be made permanent with a two-thirds (2/3) Board vote.
 - B. Other Officer vacancies are filled for the remainder of the term by majority vote of the Board Officers.
7. A Board Officer, Committee Chair, or Member may be removed for failure to perform duties, criminal misconduct, or unethical behavior with a two-thirds (2/3) Board vote.

Article VIII – Duties of Board Officers

1. General Duties of the Board Officers

- A. Oversee FMHS FBC operations and execute all necessary business between meetings.

- B. Provide leadership to guide day-to-day activities, ensuring alignment with FMHS FBC's mission and strategic goals.
- C. Present comprehensive reports during regular meetings, including updates on actions, initiatives, and expenditures, ensuring transparency.
- D. Appoint an audit committee of at least three (3) non-signing members 30 days before the annual meeting to review the Treasurer's accounts for accuracy and compliance.
- E. Fill Board and Committee Chair vacancies promptly to maintain operational continuity.
- F. Develop and submit an annual budget reflecting organizational priorities for membership review and adoption.
- G. Ensure FMHS FBC operates in compliance with UIL, LISD, state, and federal guidelines.
- H. Collaborate on initiatives aligned with FMHS FBC's mission, including fundraising, community engagement, and event planning.
- I. Act as a liaison between FMHS FBC, school administrators, and external stakeholders to ensure alignment with organizational objectives.

2. Roles and Responsibilities

- A. The President serves as the chief executive of FMHS FBC, overseeing all activities and ensuring alignment with the organization's mission. This role includes presiding over all general and Board meetings, providing strategic leadership, and representing the club in external matters. The President must develop and submit a Strategic Plan for Board approval by March 31 each year, outlining goals and initiatives for the organization. Additionally, the President appoints Committee Chairs, acts as an ex-officio member of all committees, and works closely with the Board to address high-level decisions. Current FMHS FBC membership is required with a minimum of one year of prior FMHS FBC membership, and a two-year commitment is encouraged for continuity.
- B. The Vice President (VP) supports the President by managing day-to-day operations of FMHS FBC and assumes the President's duties in their absence or in the event of a vacancy. This role requires collaboration with other Board Officers to execute events and initiatives, as well as leadership on special projects assigned by the President. Current FMHS FBC membership is required.
- C. The Treasurer is responsible for managing the financial operations of FMHS FBC, ensuring all funds are received, disbursed, and accurately recorded. This includes maintaining detailed financial records, overseeing fundraising and concession revenue, and preparing financial statements for monthly meetings. The Treasurer handles tax compliance, including issuing 1099 forms and coordinating year-end tax filings with a CPA. This role also works with the audit committee to ensure transparency and accuracy in financial reporting. The Treasurer shall be a member of all fundraising committees and meet all compliance requirements. Current FMHS FBC membership is required.

- D. The Secretary maintains accurate records of all FMHS FBC meetings, including taking and distributing minutes for approval. They are responsible for managing correspondence, organizing the organization's bylaws, and keeping membership records up to date. The Secretary ensures the club's documentation is organized and accessible for reference. Current FMHS FBC membership is required.

3. Additional Responsibilities

- A. The President and Treasurer are authorized signers on FMHS FBC bank accounts. All disbursements require two (2) signatures, and financial records are reviewed monthly by a Board Officer.
- B. All Board Officers are required to actively participate in the governance and activities of FMHS FBC. This includes mandatory attendance at executive meetings, general membership meetings, and fundraising events. Officers must annually review UIL athlete guidelines and state and federal nonprofit regulations to ensure full compliance with legal and organizational standards. Additionally, Officers are required to complete all LISD-mandated training at the beginning of each fiscal year. Failure to attend mandatory events or fulfill these obligations will be considered a failure to perform the duties of the position.

Article IX – Duties of Organization Sponsor

- 1. The Organization Sponsor (Head Coach or LISD Leadership) of FMHS FBC shall not be a member or have voting privileges on the executive board.
 - A. The Organization Sponsor shall not have access to FMHS FBC banking accounts and shall not be listed as an authorized signer.
 - B. The Organization Sponsor shall have visibility into high-level financial reports and collaborate with FMHS FBC to facilitate planning and communication for FMHS Football.

Article X – Committees and Activity Coordinators

- 1. At the beginning of each fiscal year, the Board Officers shall:
 - C. Establish standing committees to execute mission-related functions of FMHS FBC. The President appoints committee chairpersons.
 - D. Form ad hoc committees as needed to address specific tasks or initiatives.
 - E. Create FMHS FBC Activity Coordinator positions and assign tasks as necessary, ensuring Coordinators are integrated into relevant committees.
 - F. Set the term for each chairperson and activity coordinator at one year or until a successor is appointed.

2. All individuals serving as committee chairs, co-chairs, or coordinators must be active members of FMHS FBC.

Article XI – Meetings

1. General Membership Meetings

- A. General membership meetings are open to all FMHS FBC members, who are encouraged to attend.
- B. These meetings will include FMHS FBC financial updates and other business as part of the agenda.
- C. A minimum of eight (8) general membership meetings shall be held annually, which may include special guest appearances or coaching updates.
- D. Meeting dates and times will be scheduled by the Board Officers, announced at the first meeting of the fiscal year, and communicated via all social platforms.
- E. The annual kick-off meeting in March will include year-end financial reporting and the acceptance of incoming Board Officers.
- F. A quorum for general membership meetings is constituted by a majority of Board Officers.
- G. Best practices for canceling or rescheduling meetings require at least seven (7) days' notice, except in extenuating circumstances.
- H. Board Officers missing more than four (4) general membership meetings are subject to a review and potential dismissal by vote of the Board. A minimum of seven (7) days' advance notice is required for planned absences, such as scheduling conflicts (e.g., work, travel, or family events). Extenuating circumstances (e.g., illness, bereavement, or accidents) will be accommodated.

2. Executive Meetings

- A. Executive meetings are limited to Board Officers and are essential for planning and executing the FMHS FBC strategic plan. Discussions may include, but are not limited to, fundraising strategies, volunteer coordination, bylaw amendments, and event planning.
- B. A minimum of six (6) executive meetings shall be held annually. FMHS FBC funds may be used for facility rental, food, and beverages but may not be used for travel, accommodation, or alcohol expenses. Board Officers must manage expenses responsibly and ensure transparency through public accounting.
- C. A majority of Board Officers must be present to constitute a quorum.

- D. Best practices recommend scheduling executive meetings at the start of the fiscal year during the incoming board's transition meeting, with a minimum of seven (7) days' notice for ad hoc meetings, cancellations, or changes.
- E. Board Officers missing more than two (2) executive meetings are subject to review and potential dismissal by a vote of the Board. A minimum of seven (7) days' advance notice is required for absences due to work, travel, or family commitments. Extenuating circumstances such as illness, bereavement, or emergencies will be accommodated.

Article XII- Charity/Gifting Guidelines

1. FMHS FBC may provide gifts and contributions to individuals associated with FMHS Football in cases of financial hardship, illness, surgery, births, deaths, or other occasions as appropriate. These actions are guided by a commitment to fairness and compliance with LISD and UIL regulations.
2. The Board Officers must be notified by coaches and/or families when a circumstance requiring gift giving or charitable contributions arises.
3. All donation requests shall be reviewed and voted on by the Board Officers.
4. **Considerations for gifts and donations:**
 - F. Gifts for FMHS Football players, LISD staff/administration, or FMHS FBC members experiencing surgery, injury, or illness; gift shall not exceed \$50.
 - G. Gifts for FMHS Football staff in the event of a birth or adoption; gift shall not exceed \$75.
 - H. Gifts for deaths within the families of FMHS players, immediate family members, LISD staff/administration, or FMHS FBC members; gift shall not exceed \$75.
 - I. FMHS FBC may provide donations for events such as Pink Out and other LISD-approved activities.
 - J. Contributions to assist with significant financial hardships experienced by FMHS Football families must be pre-approved by LISD administration to ensure compliance with UIL regulations.
 - K. Gifts to FMHS FBC officers in recognition of their service are prohibited from being funded by FMHS FBC resources.
 - L. Donations for other circumstances may be considered as deemed appropriate by the Board Officers.
 - M. Any exceptions to these provisions require approval from LISD Administration and the Program Sponsor (Head Coach).

Article XIII - Prudent Reserve

A prudent reserve of FMHS FBC funds, totaling no less than \$30,000, shall be maintained at all times. Access to these funds is restricted and may only be approved through a vote of the general membership in the event of extenuating circumstances, such as losses caused by acts of nature or unforeseen, essential expenditures for the program.

Article XIV – Fundraising Efficacy Calculation

FMHS FBC shall endeavor to limit the cost to raise each dollar to less than \$0.30. For any fundraising event where the cost to raise each dollar exceeds \$0.50, the purpose of the event must be disclosed to the general membership. Additionally, the Board Officers must approve, by majority vote, any decision to bypass this metric, ensuring that it is necessary to effectively serve the mission of FMHS FBC.

Article XV – Amendments and Revisions

1. Amending or Revising the Bylaws

- A. Bylaws may be amended or revised at any meeting of FMHS FBC general membership, provided a quorum is present, by a two-thirds (2/3) vote of the members present and voting.
- B. Notice of the proposed amendment or revision must be provided to the membership through regular communication channels at the previous meeting or at least 14 days prior to the meeting at which the vote will occur.
- C. A committee may be appointed to draft a revised set of bylaws as a substitute for the existing bylaws, subject to a majority vote of FMHS FBC members or Board Officers.

2. Adoption and Submission

- A. The adoption of revised bylaws follows the same voting requirements as amendments, requiring a two-thirds (2/3) vote of the members present and voting.
- B. After adoption, a copy of the amended or revised bylaws, along with standing rules, must be dated and submitted to the campus principal.

Article XVI – Parliamentary Procedure

In all matters of parliamentary procedure not specifically covered by these Bylaws, the most recent edition of Robert's Rules of Order shall govern.

Article XVII – Dissolution Clause

1. Upon termination or dissolution of FMHS FBC, any assets lawfully available for distribution shall be distributed to one (1) or more qualifying organizations described in Section 501 (c) (3) of the Internal Revenue Code of 1986 (or described in any corresponding provision of any successor statute) which organization or organizations have a charitable purpose which, at least generally, includes a purpose similar to the terminating or dissolving corporation.
2. The organization to receive the assets of FMHS FBC hereunder shall be selected by the discretion of a majority of the managing body of FMHS FBC and if its members cannot so agree, then the recipient organization shall be selected pursuant to a verified petition in equity filed in a court of proper jurisdiction by one (1) or more of its managing body which verified petition shall contain such statements as reasonably indicate the applicability of this section. The court upon a finding that this section is applicable shall select the qualifying organization or organizations to receive the assets to be distributed, giving preference if practicable to organizations located within the State of Texas.
3. In the event the court shall find that this section is applicable but that there is no qualifying organization known to it which has a charitable purpose, which, at least generally, includes a purpose similar to this corporation, then the court shall direct the distribution of its assets lawfully available for distribution to the Treasurer of the State of Texas to be added to the general fund.