

**CONSTITUTION AND BY-LAWS  
WARRIORS BASEBALL BOOSTER CLUB  
JAMES MARTIN HIGH SCHOOL  
ARLINGTON, TEXAS**

**ARTICLE I. NAME**

The name of this organization shall be Warriors Baseball Booster Club (Club). The registered office of CLUB shall be in the city of Arlington, County of Tarrant, State of Texas.

**ARTICLE II. PURPOSE**

- A. The organization has been formed and shall exist for the primary purpose of promoting a high degree of voluntary community and parental participation, support, sponsorship and interest in the James W. Martin High School Baseball program. The key objectives of this organization are:
  - a. Support the coaching staff to help produce the baseball teams of the highest competitive level.
  - b. Elevate the baseball team's and player's image in the eyes of the school, community, and themselves.
  - c. Encourage total community participation in the organization.
  - d. Support the baseball program, win or lose, through personal involvement in the purpose of the organization.
- B. This booster club shall be a non-profit organization as described in section 501(c)(3) and exempt from taxation under section 501(a) of the Internal Revenue Code or corresponding section of any future federal tax code. It shall also be non-partisan, non-shareholding, non-commercial and non-bargaining.
- C. This booster club shall comply with Arlington Independent School District (AISD) policies, University Interscholastic League (UIL) regulations and Federal and Texas State laws for booster clubs.

**ARTICLE III. FINANCES**

- A. The fiscal year of this organization shall be June 1 to May 31.
- B. All dues, donation, grants, or gifts made to CLUB shall be accepted or collected only as authorized by the Board.
- C. All funds of CLUB shall be deposited timely to the credit of CLUB under such conditions and in such banks as shall be designated by the Board.
- D. All contracts, checks and orders for the payment, receipt or deposit of money, and access to securities of CLUB shall be as provided by the Board. The Treasurer and the President shall sign all checks, drafts and warrants.
- E. The Board shall approve an annual budget of estimated income, income expense and capital expense.
- F. Title to all properties shall be held in the name of CLUB.

#### **ARTICLE IV. MEMBERSHIP**

- A. CLASSES. Membership of CLUB shall consist of three classes of Members: Individual members, Family members, and Business members. The Board may, from time to time, establish different classifications of membership including, without limitation, special categories for contributions by alumni, corporations and other businesses. Each class shall have an annual due amount set by the Executive Committee prior to the school year. All dues are non-refundable. Memberships shall be available to all such individuals and businesses without regard to race color, creed or national origin.
- B. Membership of this organization shall be open to any person desiring to support the above purpose of the organization. Upon payment of dues become in good standing.
- C. Voting privileges are only permitted by those members in good standing over 18 years of age that are not currently enrolled at Martin High School.
- D. All meetings are open to the general public, however, only current members in good standing will be entitled to vote and participate in CLUB activities.
- E. The term of membership shall be one (1) year.
- F. Termination. Membership shall terminate at the end of the stated one (1) year term, unless the Member renews by paying the following years' dues. A Member may be expelled or suspended, and a membership may be terminated or suspended before the end of the stated term only when:
  - a. Member has failed to pay dues or fees after thirty (30) days' notice has been given; or
  - b. A Member is given not less than fifteen (15) days' prior written notice of the expulsion, suspension, or termination, and reasons for it; and
  - c. A Member is given the opportunity to be heard, orally or in writing, not less than five (5) days before the effective date of the expulsion, suspension, or termination by the Board or Executive Board who may decide that the proposed expulsion, suspension, or termination not take place; or
  - d. Any Member who no longer subscribes to all of the requirements of that class will immediately be terminated.

#### **ARTICLE V. OFFICERS**

- A. The officers and executive committee shall be President, 1st Vice-President, 2nd Vice-President, Secretary, and Treasurer.
- B. The duties of the officers shall be as follows:
  - a. PRESIDENT -shall preside over all meetings of general membership and the board of directors; appoint committees and serve as ex-officio member of all committees; co-sign checks along with the treasurer. The President is authorized to spend a maximum of \$250.00 without the approval of the Executive Committee in the event of emergency of whenever he/she deems it necessary. PRESIDENT shall provide the current by-laws to the Principal each year.
  - b. 1st VICE PRESIDENT-shall assume duties of President in his absence; serve as chairperson of fund raising activities; perform other duties as so

- directed by President. FIRST VICE PRESIDENT shall inform the administration of all fund raising activities.
- c. 2nd VICE PRESIDENT shall serve as chairperson of the publicity committee; SECRETARY shall record and report minutes of both general membership and Executive Committee meeting and be custodian of all organization records. SECRETARY shall also establish and maintain a membership roster with both physical and email addresses and telephone numbers. The SECRETARY shall also maintain a record of attendance at all meetings and be responsible for all correspondence and notification of members. The SECRETARY shall notify the administration of all meetings, and file the minutes with the Principal.
  - d. TREASURER shall receive all monies of the organization, keep accurate records of receipts and expenditures and pay out funds as authorized by the Board of Directors; present a statement at every meeting and an annual review; co-sign checks along with the President; see that an audit of the books be performed by a person approved by the Board of Directors and a report made at the last meeting of the year. The TREASURER shall submit an annual financial statement to the principal of Martin High School of all activities for the previous year. The TREASURER shall also submit appropriate documentation for non-profit public entities. The TREASURER shall file monthly financial statements with the Principal.
- C. Election of officers shall be by simple majority of all members present and voting at a meeting held on or before May 31. Newly elected officers shall assume duties at that time.
- a. A nominating committee, composed of three members appointed by the President, shall propose candidates for each office. Other candidates may be nominated from the floor. A candidate's consent must be obtained before placing his name in nomination.
  - b. The term of each elected officer shall be for one (1) year, beginning on June 1 following their election and shall conclude the following May 31<sup>st</sup>.
  - c. Should an office become vacant before new elections are held, the Board of Directors shall appoint a member to assume the office for the unexpired term.
  - d. No person shall occupy the same elected officer position for more than two (2) consecutive terms.
  - e. Any officer can be removed from office with a two-thirds majority vote of the membership whenever, in its judgment, the best interest of the booster club would be served thereby, but such removal shall be without prejudice to the rights, if any, of the person removed.
  - f. The Head Baseball coach shall approve all Board candidates prior to placing his name in nomination.
- D. Compensation of all officers and Board members is prohibited. All service is voluntary.
- E. An Officer may resign at any time by giving written notice to the Board of Directors. Resignation is effective without acceptance when notice is given to the Board, unless a later effective date is named in the notice.

**ARTICLE VI. BOARD OF DIRECTORS**

- A. The Board of Directors shall consist of the following:
  - a. elected officers
  - b. a member of the coaching staff (ex-officio member, non-voting member)
  - c. an Alumni representative appointed by the President (non-voting member, shall either be a student alumni or Booster Club alumni).
- B. The Board of Directors shall meet at least six (6) times throughout the school year.
- C. A quorum shall consist of a simple majority of all Board members.

**ARTICLE VII. MEETINGS**

- A. General meetings shall be held at such time and location as determined by the Board of Directors.
- B. At the minimum, there must be at least five (5) regular membership meetings from September through April.
- C. The membership present at any given meeting shall constitute a quorum. Business can be transacted by a majority vote.
- D. Special meetings of the membership may be called on by the order of the President of a majority of the Board of Directors.
- E. Where applicable, Roberts Rules of Order shall apply in the conduct of business unless otherwise noted.

**ARTICLE VIII. OPERATING LIMITS**

- A. No part of the net earnings of the organization shall inure to the benefit of its members, officers or other private persons.
- B. No part of the activities of the organization shall endeavor to influence legislation or involve participation in any political campaign on behalf of any candidate for public office.
- C. Notwithstanding any other provisions of these articles, the organization shall not participate in any other activities riot permitted to be carried out by a non-profit organization exempt from federal Income tax.
- D. Monies from fund raising activities of the organization shall be limited in use to projects not normally funded by the Arlington Independent School District.
- E. All activities of the organization shall be compatible-with the policies and the program objectives established by the appropriate officials and employees of the school district.

**ARTICLE IX. ACTIVITIES**

- A. All CLUB activities must have the approval of the AISD or the Principal of Martin High School. Such activities include (but are not limited to):
  - a. Use of the school facilities for meetings. All meeting must be coordinated with the activities of other entities desiring facility use.
  - b. All Fund Raising Activities.
  - c. Compliance with administrative regulations and AISD Board policy when donating money or gifts to the district.

- B. All fund raising activities must be filed with AISD through the Martin High School office and approved by both the Head Baseball Coach and Principal prior to the required deadline each year.
- C. CLUB shall not:
  - a. Use school facilities without prior written approval from the Principal of Martin High School.
  - b. Become involved with the direction of the Head Baseball Coach, personnel issues, scheduling of contests, and rules of participation or policy-making activities for a student group or interschool program. All of these duties are the responsibility of Martin High School and AISD.
  - c. Have authority in directing or influencing AISD employees in the administration of their duties.
  - d. Establish a "petty cash" or miscellaneous funds for the Head Baseball Coach to use at his discretion.
  - e. Give a Baseball Coach a gift or cash in excess of the limits imposed by the UIL (which is \$300 in money, product, or service) from any source in recognition of, or appreciation for coaching, directing, or sponsoring student activities.
  - f. Give anything to students, including awards. School administrators must be consulted before giving anything to a student, school, or coach.
  - g. Donate any equipment to the baseball program or the school valued at \$500 or more, without prior approval of school administrators.
  - h. Directly employ, contract, supplement or in any other way compensate a consultant, clinician, accompanist, or paraprofessional for work performed for student activity. These types of working arrangements must be managed through the Principal, Head Baseball Coach and the AISD office.
- D. Scholarships
  - a. Each year, there will be a scholarship program in accordance with published procedures such that all qualified candidates may each be awarded monies not to exceed \$500.
  - b. Distribution of awarded scholarship monies must be requested prior to the end of the Calendar Year in which the recipient graduated. This provision eliminates any carryover of scholarship liability beyond a calendar year.

**ARTICLE X. INDEMNIFICATION**

To the full extent permitted by the Texas Non-Profit Corporation Act, as amended from time to time, or by other provisions of law, each person who was or is a party or is threatened to be made a party to any threatened, pending or completed action, suit or proceeding, wherever and by whosoever brought (including any such proceeding, by or in the right of CLUB) whether civil, criminal, administrative or investigative, by reason of the fact that he/she is or was a Member, Director, or Officer of CLUB, or he or she is or was serving at the specific request of the Board as a director, officer, employee or agent of another company, partnership, joint venture, trust or other enterprise, shall be indemnified by CLUB by the affirmative vote of a majority of the Directors present at a duly held meeting of the Board for which notice stating such purpose has been given against expenses, including

attorney's fees, judgments, tithes and amounts paid in settlement actually and reasonably incurred by such person and in connection with such action, suit or proceeding; provided, however, that the indemnification with respect to a person who is or was serving as a director, officer, employee or agent of another company, partnership, joint venture, trust or other enterprise, shall apply only to the extent such person is not indemnified by such other company, partnership, joint venture, trust or other enterprise. The indemnification provided by this Article shall inure to the benefit of the heirs, executives and administrative of such person and shall apply whether or not the crime against such person arises out of matters occurring before the adoption of this provision of the by-laws.

#### **ARTICLE XI. AMENDMENTS**

Any article of this document may be amended at any meeting by a two-thirds vote of the membership present after the amendment has been presented in writing, read and filed with the Secretary at a previous meeting, or presented to the membership by mail five days prior to a scheduled meeting.

#### **ARTICLE XII. DISSOLUTION**

Upon the dissolution of the organization, assets shall be distributed for one or more exempt purposes within the meaning of section 501(c)(3) of the Internal Revenue Code, or corresponding section of any future federal tax code.

I, the undersigned, being the Secretary of the Warriors Baseball Booster Club, hereby certify that the foregoing are the Bylaws of the said Club as accepted and approved by the Board of Directors, the 1st day of September, 2004.

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Andy Cox  
Secretary