

Jaguar Spirit, Inc./Bylaws 2024-2025

ARTICLE I: Name

The name of this organization is the (name selected) **Jaguar Spirit, Inc. Booster Club**, and is associated with (campus name) **Flower Mound High School** in (city) **Flower Mound ,Texas**.

ARTICLE II: Articles of Organization ¹

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 Jaguar Spirit, Inc. Booster Club is (are):

- a. To support, assist, and encourage all squads in the Flower Mound High School Cheerleader Program.
- b. To create a relationship between the community, the school, and all school booster clubs that encourages school spirit.
- c. To aid & assist projects presented by Jaguar Spirit, their cheerleading coaches, and school administrators.
- d. The Club shall be a non-political organization & shall take no part in the control or the direction of the school cheerleading program.
- e. Jaguar Spirit, Inc. will provide a Statement of Purpose to the Principal for approval each year.

ARTICLE IV: Basic Policies

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

Section 1. The organization shall be noncommercial, non-sectarian 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.

¹ In an incorporated organization the individual has additional protection for his personal assets against any lawsuits. The corporation entity provides this protection. In an unincorporated organization there is a greater potential for each and every member to be sued because there is no corporation entity. Protection against loss of funds can alternatively be gained if the organization has sufficient officers and liability

insurance. A lawyer or the office of the Secretary of State should be contacted for detailed information on the steps necessary to become an incorporated organization.

Section 5. This organization shall secure 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 approval of the majority 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/funds shall be surrendered to the FMHS Cheerleading Account. The dissolution will require a majority vote of approval by the general club membership.

b. 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 as shall be sufficient to establish the items of gross income, receipts, and disbursements of the organization. Such books of account and records shall at all reasonable times be open to inspection by its members.

Section 11. Only members who have paid dues for the current membership year (school year) may participate in the business of that association.

ARTICLE V: Members and Dues

Section 1. 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. A person's paid membership dues allow membership in the organization from April 1st to the following March, after try-outs.

Section 3. A membership fee will be determined by a vote of the General Membership.

Section 4. Upon payment of annual dues, a person shall have membership in the organization for one year.

Section 5. This organization shall sustain a yearly membership total of at least **30 members** to remain an active booster club on the Flower Mound High School campus.

Section 6. All members shall be aware of the University Interscholastic League and Lewisville Independent School District Code of Conduct and conduct themselves accordingly.

Section 7. Coaches should serve in an advisory capacity to the Booster Club and should work closely with the Club to facilitate planning and communication. They should have no signatory authority over Jaguar Spirit Booster Club funds. Coaches should present their “Wish List” of activities to the Jaguar Spirit Booster Club at the first meeting so that the Club can appropriately establish a Booster budget for items and fundraising activities. These “wish list” items will be put to a vote of the General Membership, after discussion of the Executive Board and budget guidance.

Section 9. All activities in which Cheerleaders participate will be approved in advance by the Coaches and the Principal. At such activities, the Coaches shall have full authority at all times except as instructed by the principal or his/her designee.

a. Additional activities, community service projects or fundraisers, will be approved by the Coaches and Administration

Section 10. All cheer families will be encouraged to serve a minimum of either a committee chair of one of the Jaguar Spirit Inc. standing committees or as a member of a minimum of two standing/ appointed committees within the spirit of Jaguar Spirit Inc. This service can also be achieved or offset through professional services such as Accounting, Bookkeeping, Legal or IT services at no additional charge to Jaguar Spirit Inc.

ARTICLE VI: Officers and Their Election

Section 1. Each officer must be a 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 ²

- a. The officers of this organization shall consist of a President, (2) Vice President(s), a Secretary, and a Treasurer.
- b. Officers shall be elected by ballot following try-outs in the month of April. However, if there is but one nominee for an office, the election for that office shall be by voice vote. Elections shall be by plurality.
- 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 elected.
- 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.

² The booster club must have at a minimum: a president, a secretary, and a treasurer to function on an LISD campus.

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 5 members. Two alternates 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 - members of one year, 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.
- 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 General Membership, notice of such election having been given.
- b. In case a vacancy occurs in the office of president, the 1st Vice President will assume responsibility for all duties for the unexpired term until a new President is elected by the General Membership.

Section 6. Reason to remove:

- a. 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.
- b. Recommendation to remove an officer may be made in writing to the board by the general membership 72 hours in advance of a board or general meeting.
 - The removed officer may remain in the Club as a general member.
 - If the removed officer does not remain in the Club, then the dues and/or other monies paid to the club by that person will not be refunded.
- c. If an officer's child is removed or resigns from the FMHS cheer program, the officer will automatically be removed from her/his position on the board and required to immediately turn in to the school administration Club binders, material required to perform the duties of that position, and any other items that belong to the Club.
 - The ex-officer cannot remain in the Club as a general member.
 - Dues and/or other monies paid to the Club by the ex-officer will not be refunded...However:
 - The board may make a recommendation to refund all, or a portion of the dues and monies.
 - The recommendation must be put before the general membership for a vote.

ARTICLE VII: Duties of Officers

Section 1. The President shall:

- a. coordinates the work of the officers and committees of the association.
- b. confirms that a quorum is present before conducting any business at any meeting of the association.
- c. presides at all meetings of the association.
- d. appoints 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. calls 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. is 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 Flower Mound High School principal.
- i. Submit to the LISD accounting office and principal forms required by Lewisville ISD.

Section 2. Vice President(s) ³

The Vice President shall:

- a. act as aide-to-the-president, and
- b. presides in the absence of the president.
– or – (*For more than one vice president*)
 - a. First Vice President shall:
 1. be the aide-to-the-president
 2. preside in the absence of the president (in their designated order)
 3. chair the Nominating Committee
 4. be the oversight to the Chair of the Banquet Committee & Hospitality Committee.

³Vice presidents shall be named in order of precedence: first, second, third, etc. Each vice president shall have administrative charge of a specific area, which must be stated in the bylaws. The first vice president shall be designated as the aide-to-the-president. If no vice presidents are prescribed in these bylaws, the secretary will become aide to the president.

b. Second Vice President shall:

1. provide oversight of the Fundraising events.
2. participate in Standing Fundraising Committees include but are not limited to:
 - Booster agreed fundraising events
 - Junior Jag Clinic / Middle School Prep
 - Sponsorships (Corporate and Local Business)

 - Spirit Nights

 - Pomming
3. preside in the absence of the president, first VP (in their designated order).

Section 3. The Secretary shall:

- a. records the minutes of all meetings of the association. Members shall receive minutes from the General Board Meeting for review through email within that same week. The approval of the minutes will be voted on by Jaguar Spirit members at the next Booster Club meeting.
- b. maintains a compilation of the organization's minutes in the secretary's binder for the current membership year. Previous membership years meeting minutes will be kept in the secretary's binder for up to two years.
- c. is responsible for correspondence.
- d. has a current copy of the bylaws.
- e. maintains a current membership list.
- f. keeps meetings on schedule following the President's agenda. Keep order during meetings.

g. will keep a key to the Booster Club PO Box and will receive/open/monitor/distribute contents of the mailbox regularly to the appropriate board member or officer it is directed to.

Section 4. The Treasurer shall: ⁴

- a) has custody of all the funds of the association.
- b) decides if an accountant is needed by the club each year & have approved by Jaguar Spirit Booster Club membership.
- c) keeps books of accounts and records including bank statements, receipts, budgets, invoices, paid receipts, and canceled checks for five years.
 - Current membership year will be kept in the Treasurer's binder.
 - Past year's membership will be kept/stored in the coaches' office.
- d) makes disbursements in accordance with the budget adopted by the organization.
- e) signs bank accounts (two of three authorized signatures shall be required on all checks).

⁴If both a recording and corresponding secretary are elected, the duties of the secretary shall be divided. If no vice presidents are prescribed in these bylaws, the secretary will become aide to the president.

- f) presents 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.
- g) with Board members, prepares the annual budget and presents it, written at the first meeting of the Jaguar Spirit Booster Club in the new school year (Sept).
 - officers, chairs, or members may receive the annual budget for review prior to the first general meeting of the club meeting through regular communication channels.
 - budget must be voted on by the members at the first general meeting of the club, providing a quorum of the general memberships present.
- h) tracks Amendments to the budget throughout the year.
 - officers, chairs, or members may receive the annual budget for review prior to the first general meeting of the club meeting through regular communication channels.
 - budget must be voted on by the members at the first general meeting of the club, providing a quorum of the general memberships present.
- i) completes, files & signs all necessary tax documents.

- j) 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
- k) submits books to the audit committee as requested.

Section 6. All officers shall:

- a) attends a transitional meeting with the outgoing official at the start of their term.
- b) attends all meetings of the association.
- c) will attend committee meetings for committees to which they oversee.
- d) Jaguar Spirit Officers shall not serve in the same office for more than two consecutive terms and they must be a member prior to taking office.
- e) performs the duties outlined in these bylaws and those assigned from time to time
- f) delivers to their successors or the President all official materials within fifteen (15) days following the date at which their successors assume their duties.

ARTICLE VIII : Duties of Sponsor

Section 1. The sponsor of the organization shall not be a member or have voting privileges on the executive board.

ARTICLE IX: Meetings

Section 1. This organization shall hold a minimum of 9 meetings a year.

- a) Regular meeting dates will be established by the executive board at the first meeting of the year. Time and dates will be announced to the membership at its first meeting of the year. Five days' notice shall be given if a change of date is needed.
- b) The first meeting of Jaguar Spirit - the election meeting will be held in April, following March tryouts. A general meeting will be held once a month as necessary during the months of April and May for the purpose of receiving reports of officers and chairmen and for any other necessary business prior to the summer break; meetings will reconvene in September through March when school starts again.
- c) The Executive Board will hold meetings as necessary April - May for the purpose of drafting budget, sourcing scholarship candidates, and any other Jaguar Spirit business to be presented to the General Membership upon reconvening for general meeting dates.

- d) 1/3 of the General Membership must be present at any meeting to constitute a quorum. It is the expectation that each squad member will have a representative parent/legal guardian present to allow the club to meet quorum and conduct business on behalf of the club.*If a vote is required prior to the next meeting, a vote via email can be implemented by the Executive Board.
- e) Meetings of Jaguar Spirit Inc. are held the first Tuesday of the month at 6:30 p.m. in the FMHS Library, MPR or Cafeteria as arranged by the Executive committee and school administration. These meetings can be rescheduled by the President of the Club in the event of majority conflict or scheduled school activities including but not limited to Athletic events where Cheer is expected to participate.
- f) Standing committees will also hold meetings outside of general membership meetings for the purpose of planning and meeting the requirements of the said committee. Members will be encouraged to participate in these committee meetings.

Section 2. Special meetings of the association may be called by the president or by a majority of the executive board, at least three days' notice having been given.

ARTICLE X: Executive Board

Section 1. The executive board shall consist of the officers of the association 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 association meetings and such other business as may be referred to it by the association.
- b. present a report at the regular meetings of the association.
- c. approve Plans of Work of 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. create standing and special committees.
- f. fill vacancies of officers and chairmen.
- g. prepare and submit a budget for the year to the organization for adoption.
- h. approve routine bills within the limits of the budget.
- i. 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 association meeting, the time to be fixed by the board at its first meeting of the year.
- b. A majority of the executive board members 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.

ARTICLE XI: Standing and Special Committees

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

Section 2. The executive board may create such standing and special committees as it may deem necessary to carry on the work of the organization. The term of each chairman shall be one (1) year or until the selection of a successor.

Section 3. 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 4. 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.

Section 5. All standing committee chairmen shall:

- a. deliver to their successors or the president all official materials within fifteen (15) days following the date at which their successors assume their duties; and
- 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.

Section 6. The president shall be a member ex-officio of all committees except the nominating and audit committees.

Section 7. The quorum of any committee shall be a majority of its members.

Section 8. Only paid members of the Jaguar Spirit Booster Club are eligible to serve in any elective position.

Section 9. A copy of all special/standing committee categories & chairs is available on our website - www.jaguarcheer.org under its Booster Club tab.

ARTICLE XII: Fundraising

Section 1. Fundraising projects are subject to state law.

Section 2. Booster Clubs cannot require participation in a fundraiser, but cheerleaders are expected to participate and contribute. The Booster club will provide funding based on the needs of the FMHS Cheer Program. Not all members of the FMHS Cheerleading Program may

benefit from all Booster Club activities. The Booster Club is bound by IRS 501 (C) (3) rulings and is not allowed to “bucket funds” in individual accounts under cheerleader’s names but can and will contribute to the group as a whole.

Section 3. All fundraisers done on campus must obtain permission from the Principal. A Fundraising Application must be submitted prior to each event.

Section 4. Spirit Wear goods should be approved by someone from the Administration & the Principal in charge of reviewing Booster Club merchandise sales & the Principal.

ARTICLE XIII: Club Finances & Fiscal Year

Section 1. The fiscal year of the Jaguar Spirit, Inc. Booster Club will begin on April 1st and end on March 31st each year.

Section 2. Committee members shall record an accurate and timely account of revenue and expenses and coordinate its financial operation with the club Treasurer.

Section 3. Committee Chairs and Coaches shall not submit a payment request which exceeds the amount of funds available at the time of the request in the committee funds account.

Section 4. Booster Club will only pay expenses that are designated and approved by the Clubs membership.

Section 5. All reimbursements or payment requests require the reimbursement form and original receipt and no tax will be reimbursed (paid).

Section 6. Club shall carry out activities permitted by an organization exempt from federal income tax under section 501 (c) (3) of the Internal Revenue Code.

Section 7. The Booster Club will carry liability insurance for the protection of the club, officers, and members.

Section 8. An Audit Committee shall be formed at the final meeting in March. They will create a reconciliation report & present it at the first meeting of the new school year (September). This report is also required by FMHS/LISD by September 1st.

Section 9. Booster Club activities requiring payment shall be turned in at the monthly meeting to our Booster Treasurer or paid through Jaguar Spirit’s Venmo account.

Section 10. Coaches shall not be required to collect or distribute Booster Club funds.

Section 11. No money should be transferred or carried by a student/cheerleader for delivery.

Section 12. Bank account debit cards will be used by the Club Treasurer & Club President for official business.

Section 13. Jaguar Spirit Inc. will attempt to budget, fund, and support the requirements of the FMHS Cheer Program by establishing its working budget based on the coaches “wish list”

at the beginning of the cheer season. In the event that the funds which are budgeted fall short of the required fees, the Booster Club can vote to amend the budget to cover the additional fees. If the budget does not sustain the increase, the additional funds will then fall back to the responsibility of the parents of the competitive team members. This may include but not be limited to travel, accommodations, meals and Registration fees.

ARTICLE XIV: Parliamentary Authority & Amendments

- 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.
- These bylaws may be amended at any meeting of the association, 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.
- 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 association, 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.
- 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.
- This organization shall review and if necessary, amend its bylaws at least every three (3) years.