

**BYLAWS for the**  
**Bear Baseball Diamond Club**  
**Effective \_\_\_\_\_, 2023**

**Article I: Name and Purpose**

**Section 1.01. Name.** The name of this organization shall be Bear Baseball Diamond Club, hereinafter referred to as "BBDC."

**Section 1.02. Purpose.** Bear Baseball Diamond Club is a Texas Domestic non-profit organization and shall be operated exclusively for educational and charitable purposes within the meaning of Section 501(c)(3) of the Internal Revenue Code of 1986 or the corresponding section of any future federal tax code and according to the Montgomery Independent School District Booster Club and School-Support Organization Guidelines (MISD BCSSOG) and University Interscholastic League Booster Club Guidelines (UIL Guidelines).

The purpose of the BBDC is to support the long-term growth of the Montgomery High School (MHS) Baseball Program and to ensure that the current players and coaching staff have proper training, equipment, and facilities in which to learn and compete. The goals of the BBDC include but are not limited to the following:

- To promote a wider interest and participation in the MHS baseball program.
- To assist, as needed, in any MHS baseball function.
- To provide support, financial and otherwise, for the MHS Baseball team within the meaning of Section 501c(3) of the Internal Revenue Code.
- To assist the coaches in establishing an organization that supports the baseball program, its coaching staff, and the current players.
- To engage and maintain continued communication between the coaches and BBDC members.
- To lead fundraising activities for the benefit of the baseball program, its coaching staff, and the players. BBDC activities and fundraising are to be conducted solely on an as needed and on-going basis and all such efforts shall be conducted not for profit.
- To recognize accomplishments of the team, the players, and the coaches.

All BBDC activities, donations and funds shall be for the sole purposes outline in Section 1.02 and in support of the Montgomery High School baseball program and the MISD Sponsor.

BBDC shall have the power, directly and indirectly, alone or conjunction or cooperation with others, to do any and all lawful acts which may be necessary or convenient to effect the charitable purposes for the which BBDC is organized, and to aid other organizations or persons

whose activities further accomplish, foster or attain such purposes. The powers of BBDC may include, but not be limited to, the acceptance of contributions from the public and private sectors, whether financial or in-kind.

**Exempt Activities Limitation.** Notwithstanding any other provision of these bylaws, no officer, chair, member or representative of the BBDC shall take any action or carry on any activity by or on behalf of the BBDC not permitted under Section 501(c)(3) of the Internal Revenue Code as it now exists or may be amended, or by any contributions to which are deductible under Section 170(c)(2) of such Code and Regulations as it now exists or may be amended. No part of the net earnings shall inure to the benefit or be distributable to any officer, chair, member or representative or other private person, except that the corporation 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 these articles and bylaws.

**Section 1.03 Rules of order.** In all instances not provided in these bylaws, the rules contained in the current version of "Robert's Rules of Order" shall govern the BBDC where they are applicable and in which they are not inconsistent with these bylaws and any special rules or order the BBDC may adopt.

**Section 1.04 Dissolution clause.** Upon dissolution of the BBDC, the MISD Board of Trustees shall, after paying or making provisions for the payment of all the liabilities of BBDC, dispose of all the assets of the organization in accordance to Section 501(c)(3) of the Internal Revenue Code of 1986 (or corresponding provision of any future United States Internal Revenue Law), and given to the Montgomery High School Baseball Athletic Fund.

## **Article II: Membership**

### **Section 2.01. Qualification.**

- 1) Membership is available entirely on a nondiscriminatory basis to all parents and legal guardians of students enrolled in the Montgomery High School Baseball program as a player or manager and are currently in good standing with the program.
- 2) There will only be one membership per player, per household, and each membership/household is allowed ONE vote on each matter submitted for a vote (ie. If a family has 2 players on the team, there is only one membership and one vote).
- 3) In order to remain in good standing and maintain membership in the BBDC, the parent or legal guardian be current on their membership dues. Membership will not be denied due to financial hardship. In the event of a hardship, an Application for Financial Assistance (Exhibit A) must be provided to the head coach via email. After review of provided application, the Head Coach and BBDC President, jointly, have the right to waive all BBDC dues. Financial hardship applications are kept confidential, and approval is valid only for the current year of application.
- 4) It is encouraged for all members to participate in all fundraising events or activities through volunteering at events and/or donating items or money for the events.
- 5) Members will practice good sportsmanship: governing positive behavior at all contests, games, and in the treatment of officials, coaches and/or sponsors.
- 6) Members may be removed from the booster club for unethical actions such as, but not limited to: disruptive behavior, use of drugs and/or alcohol while volunteering in a booster club capacity such as, but not limited to transporting players and/or managers to any baseball functions, being a responsible party supervising and/or working with the players and/or managers. Such removals require two-thirds affirmative vote of the members.
- 7) BBDC members and executive board officers will not hold any authority to direct the duties of any school district employee or sponsor.

**Section 2.02. Dues.** Annual dues, determined by the executive officers, will cover a period of September 1 -August 31.

**Section 2.03. Rights and Responsibilities.** The members shall have the right and responsibility to attend meetings and events sponsored by the organization, serve on the committees, and be nominated and elected to office. Members shall also have the right to vote for the officers, review and approve the annual budget, and approve amendments to these bylaws.

**Section 2.04. Quorum.** The members present at any membership meeting of the organization, provided four (4) or more members are present, shall constitute a quorum for the transaction of business. In the absence of a quorum the membership may not act.

In that event, any matter brought before the membership at a meeting at which quorum is not present shall be discussed and decided by the Executive Board.

**Section 2.05. Meetings.** There shall be at least one general annual meeting of the membership, usually in the fall, at which the officers are elected. Additional meetings shall be set by the executive board and are open only to members with a paid membership. Only parents and legal guardians of players with a paid membership may participate in discussion at any meeting. Special meetings may be held at the request of two (2) or more members in writing to the Executive Board and at least forty-eight (48) hours' notice of the meeting place and time must be given to the membership prior to the special meeting.

## **Article III Executive Board**

**Section 3.01. Membership.** The Executive Board shall consist of the elected officers of the organization. The Head MHS Baseball Coach shall be an ex-officio member of the Executive Board. Members of the Executive Board must be registered volunteers with the district.

**Section 3.02. Authority.** The affairs, activities and operation of the organization shall be managed by the Executive Board. The Executive Board shall transact necessary business during the intervals between the meetings of the membership and such other business as may be referred to it by the membership or these bylaws. It may create Standing and Special Committees, approve the plans and work of standing and special committees, prepare a budget, and, in general, conduct the business and activities of the organization. Business activities of BBDC, including fundraisers, shall be approved by a majority vote of the Executive Board.

**Section 3.03. Meetings.** The Executive Board shall meet no less than monthly in the months of August through May of the current school year, to prepare for general membership meetings and to conduct the affairs of the organization.

**Section 3.04. Quorum.** A quorum of the Executive Board for the conduct of business shall consist of at least three (3) officers in attendance.

**Section 3.05. Action Without a Meeting.** Any action required or permitted to be taken at a meeting of the Executive Board (including amendment of these bylaws) or of any committee may be taken without a meeting if all the members of the Board or committee consent in writing to taking the action without a meeting and to approving the specific action. Such consents shall have the same force and effect as a unanimous vote of the Board or of the committee.

**Section 3.06. Participation in Meeting by Video or Audio Conference Call.** Members of the Executive Board may participate in a meeting through use of video or audio software/applications or similar communications equipment, so long as members participating in such meeting can hear one another.

**Section 3.07. Reimbursement.** Executive Board members shall serve without compensation with the exception that expenses incurred in the furtherance of the organization's business are allowed to be reimbursed with documentation in accordance with the organization's financial policies, and prior approval.



## Article IV Officers and Their Elections

**Section 4.01. Officers.** The officers of this organization shall include one President, one Vice President, a Secretary, a Treasurer, and such additional officer(s) as may be elected or appointed by the Executive Board from time to time. All officers must be paid members in good standing of the BBDC. Officers may not be:

- Married.
- Living in the same household.
- Membership attained from the same player.

**Section 4.02. Nominations and Elections.** The Executive Board shall form a nominating committee in March of each year consisting of three (3) – five (5) persons for nominating and electing members of the Executive Board.

The committee may consist of representatives from the membership, school staff or MISD administration.

- A. Communications shall be sent to all members notifying them of who has volunteered to serve on the nominating committee for that year and that the slate of board members for the upcoming year is open for candidate consideration.
- B. The nominating committee shall receive nominations (including self-nominations) for an eligible member, with member's consent, for each Executive Board position to be filled and provide the slate to the membership after tryouts. Notification for the slate may be communicated electronically.
- C. Elections shall take place during an in-person meeting prior to the end of the school year using the slate provided by the nominating committee. Nominees should make all efforts to be present for the elections. Nominations from the floor will also be accepted immediately prior to elections as long as nominee is present to ensure consent. To maximize member participation, the Executive Board shall ensure elections are conducted in a way as to allow votes to also be accepted by proxy and/or electronically.
  - 1) Voting is only required for officer positions.
  - 2) Elections by acclamation shall be permitted if only one person is nominated for an office. When there is more than one nomination for the same position, election shall be by written ballot.
  - 3) Each family is allowed one vote. IE. If a Booster Club Member has two students in good standing in the Baseball program, then they are only allowed one vote.
  - 4) Majority vote wins an election.



**Section 4.03. Term.** Terms run from June 1 to May 31 of each year to assist in the overlap of the fiscal year. Officers shall serve a one-year term. Officers may hold the same position for consecutive terms, if re-elected, so long as said officers' membership is in good standing. Upon expiration of the term of office, or resignation, each Officer shall:

- Pass complete records of all activities in coherent order to their successor Officer. Deliver to their successor, without delay, all records, books, and material pertaining to the office no later than July 1.

- Mentor the incoming officer, during the month of May, before turning over the position.

**Section 4.04. Removals, Resignations and Vacancies.** By two-thirds vote of the Executive Board, an officer or chair may be removed with or without cause. Any officer or chair can resign at any time by giving written notice to the President and Secretary and any officer or chair must resign immediately should they no longer be a member in good standing of the BBDC (ie. they no longer have a student in the program). All vacancies may be filled by appointment, with a majority vote of the Executive Board in agreement, except the President vacancy, which must be handled by election at an in-person meeting. The replacement officer will hold the office until the next round of general elections. All removals and resignations of the Executive Board shall be communicated to the membership and the Baseball Head Coach within fourteen (14) business days from notification.



## **Article V Duties of Officers**

**Section 5.01. President.** The President shall be the principal executive officer of the organization and, subject to the control of the Executive Board shall in general supervise and control all the activities of the organization. The President shall prepare agenda for all Booster Club meetings; notify Administration and coaches of scheduled meetings; preside over all meetings to include at least one Executive Board planning session during the summer for the purpose of creating the proposed annual budget and activities for the year; present a Presidents report on any actions of the Executive Board (excluding Executive Session matters); ensure that the purposes of the BBDC are promoted; provide second signature, if needed, on Booster Club checks; enforce the provisions and maintain custody of the Bylaws; maintain custody of a copy of all keys, official documents and records as a BBDC President Book as they pertain to the BBDC and pass said documents to successor officer; coordinate and confirm approval of all activities with the Head Baseball Coach and keep him/her apprised of important matters; maintain positive relations with the coaches and team; and perform all other duties that may pertain to the office.

The President shall be responsible for communications between the BBDC and M.I.S.D. The President shall vote only in the case of a tie in a vote of the Executive Board or the membership.

**Section 5.02. Vice-President(s).** The Vice-President shall be a member of the Executive Board and assist the President and shall perform the duties of the President in his/her absence. The Vice-President shall appoint members to optional committees established for the purpose of organizing and executing fund-raising projects. The Vice-President shall organize and enlist community sponsors for financial support, keep records of financial contacts and correspondence to sponsors. The Vice-President shall perform such other duties as are assigned by the President or the Executive Board.

**Section 5.03. Secretary.** The Secretary shall be a member of the Executive Board. The Secretary shall keep the minutes of the proceedings of the membership and the Executive Board, shall be responsible for retaining copies of meeting minutes, shall manage and keep an accurate list of membership, including contact information, ensure "Roberts Rules of Order" are upheld during meetings, and, in general, perform all duties incident to the office of Secretary and such other duties as may be assigned by the President or the Executive Board. The Secretary shall:

- Draft minutes and provide (via email) to all Executive Board Officers for review and comment to ensure that relevant information discussed in the meeting is included in the minutes within two weeks after each meeting
- Respondents should promptly review and "Reply All" with comments.
- The final form of minutes will subsequently be approved at the next Executive Board meeting.

**Section 5.04. Treasurer.** The Treasurer shall be a member of the Executive Board. The Treasurer is the authorized custodian to have oversight of all funds of the organization in accordance with the organization's financial policies. The Treasurer will keep an accurate

record of receipts and expenditures. The Treasurer will be diligent and conscientious in ensuring all funds are received and spent in accordance with the organization's tax-exempt purpose, bylaws, and budget; file required IRS and state forms on behalf of the BBDC; Perform all duties incident to the office of Treasurer and such other duties as may be assigned by the President or the Executive Board. The financial records belong to the organization and must be available to the other officers and members upon request.

The Treasurer shall:

- Ensure that all funds are timely deposited in the organization's authorized bank account(s).
  - Ensure that payments and disbursements are authorized by approved budget, or an amendment to the budget.
  - Present a written financial report (including income and expenditures and comparing budgeted amounts to actual year-to-date amounts), at each General Membership Meeting of the membership and at other times as requested by the Executive Board. Responsible for the online payment system(s) and card swipe (square).
  - Ensure Financial & Administrative Guidelines, outlined in Article VIII, are followed.
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- Each Executive Board member shall ensure all responsibilities and activities are conducted in accordance with the MISD BCSSOG and UIL guidelines.
  - Each Executive Board member/team shall maintain a record of current responsibilities, activities and suggested timelines and contacts that can be shared with the incoming officer or chair. This record can be kept either electronically or in hard copy.
  - The Executive Board shall ensure the appropriate tax forms are filed to ensure compliance with state and federal tax laws and regulations and retention of 501(c)(3) status and make arrangements for appropriate insurance coverage to address liabilities of the officers and members of BBDC.

## **Article VI Optional Committee Representative**

**Section 6.01. Committee Chairs.** The committee chairs shall be appointed by the Executive Board and are responsible for building their teams and keeping the President and Vice-President apprised of activities. Committees can only conduct activities and authorize expenses approved as part of the annual budget and planning. Exceptions and additions shall be brought to the Executive Board for approval. No committee work shall be undertaken without the consent of the Executive Board. The President and Cheer Sponsor(s) shall be ex-officio members of all committees.

**Section 6.02. Sponsorships.** If a sponsorships committee is formed, the Vice-President shall appoint a representative to lead the committee. The sponsorships representative shall:

- Update all communication forms for sponsorships to the current year. Organize and enlist community sponsors for financial support.
- Work with Treasurer for online payment system and appropriate donation receipts.
- Maintain current list of sponsors, including contact information. Maintain correspondences to sponsors.
- Maintain and update Field Banners and end of season appreciation plaques. Other duties as assigned.

**Section 6.03. Concessions.** If a concessions committee is formed, the Vice-President shall appoint a representative to lead the committee. The concessions representative shall:

- Be responsible for food and beverage at the concession stands for all baseball games, scrimmages, and tournaments that are held at the Montgomery High School Baseball facility.
- Coordinate the food and beverage for players during away games as requested by the Head Baseball Coach.
- Plan for food and beverage for fundraisers, including obtaining donations from members and sponsors.
- Fully responsible for the money controls of the concession stand, including a complete Cash Collections Form and ensuring that after the final game of the day that the money is secured until given to the Treasurer or other Executive Officer for deposit.

**Section 6.04. Communications.** If a communications committee is formed, the Vice-President shall appoint a representative to lead the committee. The communications representative shall:

- Be responsible for social and media communications, to include, Facebook, Twitter, baseball webpage, etc.
- Coordinator for post season game programs.

**Section 6.05. Volunteer.** If a volunteer committee is formed, the Vice-President shall appoint a representative to lead the committee. The volunteer representative shall:

- Be responsible for the coordination and communication of all volunteer activities with parents and legal guardians of players

## **Article VII Scholarships**

**Section 7.01. Review Process.** The scholarship award amount for qualifying seniors will be reviewed every two years by the Executive Board. To avoid potential conflicts of interest, any changes to the award amount will become effective 12 months following the vote by the Board to approve such changes or eligibility. All changes must be documented in the meeting minutes and subsequent changes included as an amendment to the by-laws.

**Section 7.02. Amount.** The scholarship award shall not exceed five-thousand dollars (\$5,000.00) per Senior Player or Senior Manager.

**Section 7.03. Eligibility.** Graduating senior players and managers who are on the roster and in good standing with the team at the conclusion of their senior season are eligible for a scholarship award. The award amount for individuals will be based on their tenure with the program and not to exceed the amount as previously set by the Executive Board. If a player or manager leaves the program for any reason before the conclusion of their senior season, they are not eligible to receive an award.

Example: A graduating senior who completed his junior and senior seasons on the team roster and in good standing is eligible to receive 50% of the allocated award amount. A graduating senior who completed his sophomore, junior and senior seasons on the team roster and in good standing is eligible to receive 75% of the allocated award amount. A graduating senior who completed his freshman, sophomore, junior and senior seasons on the team roster and in good standing is eligible to receive 100% of the allocated award amount. Consequently, if a player or manager quits or is removed from the program prior to the conclusion of his senior season, he receives no award.

**Section 7.04. Requirements.** For a player or manager to be considered for a scholarship award the individual must have demonstrated compliance with all baseball policies related to behavior, ethics, academics, and attendance communicated to the team by the Head Baseball Coach. The Head Baseball Coach shall be responsible for the final selection of qualified recipients for scholarships awarded. Upon approval of any scholarship award, the recipient must show proof of enrollment at the college the individual has chosen to attend. At the end of the school year, any unused scholarship money shall remain in the scholarship fund. The scholarship amount will be coordinated and distributed by the BBDC President to the graduating senior no later than August 15<sup>th</sup> of the player's or manager's freshman year of college.

## **Article VIII Finances**

**Section 8.01. Budget.** The Executive Board shall present to the membership at the first regular meeting of the membership after the officers have been elected, or as soon thereafter as practicable, a budget of anticipated revenue and expenses for the year. This budget shall be used to guide the activities of the organization during the year, including serving as approval for anticipated expenditures. Any substantial deviation from the budget must be approved in advance by the Executive Board.

**Section 8.02. Obligations.** The Executive Board may authorize any officer or officers to enter into contracts or agreements for the purchase of materials or services on behalf of the organization.

**Section 8.03. Loans.** No loans shall be made by the organization to its officers or members.

**Section 8.04. Checks.** All checks, drafts, or other orders for the payment of money on behalf of the organization shall be signed by one of the three Executive Officers with check signing authority: President, Vice President or Secretary. Any check over the amount of \$1,000.00 shall be signed by two of the Executive Officers with check signing authority. BBDC checks disbursed directly to vendors or use of purchasing card are preferred for expense management, in lieu of the Board or Members individually incurring expenses on behalf of the BBDC and seeking reimbursement.

**Section 8.05. Banking.** All funds will be maintained by the Treasurer in specifically identified BBDC accounts in a legal banking institution approved by the Executive Board. The banking institution and types of accounts (checking, savings, CDs, money markets, etc.) being used should be reviewed at least once every three (3) years to ensure the BBDC are not incurring unnecessary fees and expenses based on available, local banking options and account solutions. At a minimum, the Treasurer, President and one (1) other officer shall have access to all accounts.

- 1) The membership shall be provided with a financial statement and bank account reconciliation at each regular meeting. The financial statement should provide a comparison of budgeted vs actual expenditures and receipts. Cash receipts and disbursement reports should be available for review when needed.
- 2) Any individual with access to BBDC funds cannot have a past history of account abuse or delinquency with any kind of financial institution (e.g. bank, credit cards, mortgage, loan) or have filed for personal bankruptcy.

The Treasurer shall ensure that all funds of the organization are timely deposited to the credit of the organization in such banks or other depositories as determined by the Executive Board. All deposits and disbursements shall be documented by a receipt, an invoice, or other written documentation. Sequentially numbered receipts shall be provided, with a copy kept, whenever cash is turned over or collected. All

deposits and/or disbursements shall be made as soon as practicable upon receipt of the funds, normally daily, immediately after received and counted. If debit or credit cards are established in the name of the organization, a policy approved by the Executive Board shall be developed and used that includes a list of the authorized users, daily/monthly/annual spending limits, and review and oversight provisions. No personal charges on the card by the authorized users shall be allowed and will be a consideration of removal from the Executive Board.

**Section 8.06. Financial Controls.** The organization shall adopt appropriate financial controls to ensure the integrity of its funds. Specifically, without limitation, the organization shall maintain separation of financial controls so that, minimally:

- Pre-approval, via majority Executive Board vote, required if an expense exceeds \$1,000. Electronic voting is acceptable if the purchase needs to be made prior to the next Executive Board meeting.
- Expense reimbursement requests for expenses incurred on behalf of the BBDC should be submitted timely and preferably at, or prior to, the next monthly Executive Board meeting.
- Counting of cash before and after each event requires two ADULT individuals who are unrelated, an Executive Board member, preferably the Treasurer, and one other adult.
- The Treasurer or another person without check signing authority designated by the Executive Board shall review and reconcile all bank statements monthly.
- No part of the net earnings of BBDC shall be for the benefit of, or be distributable to its members, 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 BBDC's exempt purposes.
- Any discrepancy in funds from time of receipt until deposit shall be made known to the Treasurer and President immediately. Evidence will be brought to the Executive Board for review and to vote on decision. All discrepancies and decisions are to be documented and maintained as financial records. Disclosures to the membership under this provision shall be made in such a way as to protect the privacy of individuals.

**Section 8.07. Financial Forms.** Forms to be used by the Executive Board and Members:

- **Expense Reimbursement Form:** for reimbursement of expenses incurred on behalf of the Booster Club (Exhibit B)
- **Cash Form:** for cash received from a fundraising event (Exhibit C)
- **Deposit List & Slip:** for record of deposit of event proceeds (Exhibit D)

- **Cash Withdrawal Request:** for cash withdrawals from the BBDC bank account (Exhibit E)
- **Expense Report:** for expenses incurred on the Purchasing Card (Exhibit F)

**Section 8.08. Financial Report.** The Treasurer shall present a financial report at each membership meeting of the organization and prepare a final report at the close of the year in accordance with the organization's financial policies. The Executive Board shall have the report and the accounts examined annually. If the organization grosses less than \$100,000 per year, the financial practices and accounts may be reviewed by an internal audit committee. The audit committee shall consist of two or more Board or voting members of the organization who are not involved in the routine handling of the organization's finances, including not having signature authority on bank accounts or approval authority over disbursements. If the organization grosses over \$100,000 in receipts, an external professional, such as a certified public accountant (CPA), shall be hired by the audit committee to perform a financial review or compilation. A full audit shall be conducted by an external CPA when annual gross receipts equal or exceed \$250,000.

**Section 8.09. Donor and Payment Records.** These detailed records shall be made available only to specific persons with responsibility for dealing with those transactions or to the Executive Board when requested. Payment information will be kept in strict confidence. In the spirit of transparency, itemized records scrubbed of any personal/payment information outside of name (e.g., addresses, phone numbers, credit card and banking account information) will be made available upon request to any member or MISD employee who requests the information for a specific reason. Donor acknowledgement letters will be mailed annually no later than allowed by IRS guidelines (currently January 31).

**Section 8.10. Loans.** No loans shall be contracted on behalf of the BBDC and no evidence of indebtedness shall be issued in its name unless authorized by resolution of the Executive Board.

**Section 8.11. Fiscal Year.** The fiscal year of the organization shall be from September 1 to August 31 but may be changed by resolution of the Executive Board.

**Section 8.12. Financial Record Retention.** All records of the organization shall be maintained and destroyed in accordance with law, and standard record retention guidelines. Financial records shall be maintained as follows:

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**RECORD**

**HOW TO STORE**

**PERIOD OF TIME**



Year-end Treasurer's financial report/statement, annual Internal Financial Review Reports, IRS Form 990s	Store in corporate record book, binder, and/or cloud- based software.	At least seven (7) years Consider keeping permanently.
Bank statements, canceled checks, check registers, invoices, receipts, cash tally sheets, investment statements, and related documents	Compile and file records on a yearly basis. Store in binder or cloud-based software.	Seven (7) Years Store w/financial records. Destroy after seven years.
Treasurer's reports (monthly)	Compile and file records on yearly basis. Store in binder or cloud-based software.	Three (3) Years Store w/ financial records. Destroy after three years.

**Section 8.13. Additions.** For any financial requirement or issue not addressed in these by- laws refer to the MISD BCSSOG.

## **ARTICLE IX Conflicts of Interest**

**Section 9.01. Existence of Conflict, Disclosure.** Directors, officers, employees and contractors of the Organization should refrain from any actions or activities that impair, or appear to impair, their objectivity in the performance of their duties on behalf of the Organization. A conflict of interest may exist when the direct, personal, financial or other interest(s) of any director, officer, staff member or contractor competes or appears to compete with the interests of the Organization. If any such conflict of interest arises the interested person shall call it to the attention of the Board of Directors for resolution. If the conflict relates to a matter requiring board action, such person shall not vote on the matter. When there is a doubt as to whether any conflict of interest exists, the matter shall be resolved by a vote of the Board of Directors, excluding the person who is the subject of the possible conflict.

**Section 9.02. Nonparticipation in Vote.** The person having a conflict shall not participate in the final deliberation or decision regarding the matter under consideration and shall retire from the room in which the Board is meeting.

However, the person may be permitted to provide the Board with any and all relevant information.

**Section 9.03. Minutes of Meeting.** The minutes of the meeting of the Board shall reflect that the conflict was disclosed, and the interested person was not present during the final discussion or vote and did not vote on the matter.

**Section 9.04. Annual Review.** A copy of this conflict-of-interest statement shall be furnished to each director or officer, employee and/or contractor who is presently serving the Organization, or who hereafter becomes associated with the Organization. This policy shall be reviewed annually for information and guidance of directors and officers, staff members and contractors, and new officers and directors, staff members and contractors shall be advised of the policy upon undertaking the duties of their offices.

## **ARTICLE X Indemnification**

Every member of the Executive Board, officer or employee of the Organization may be indemnified by the Organization against all expenses and liabilities, including counsel fees, reasonably incurred or imposed upon such members of the Board, officer or employee in connection with any threatened, pending, or completed action, suit or proceeding to which she/he may become involved by reason of her/his being or having been a member of the Board, officer, or employee of the Organization, or any settlement thereof, unless adjudged therein to be liable for negligence or misconduct in the performance of her/his duties.

Provided, however, that in the event of a settlement the indemnification herein shall apply only when the Board approves such settlement and reimbursement as being in the best interest of the Organization. The foregoing right of indemnification shall be in addition and not exclusive of all other rights which such member of the Board, officer or employee is entitled.

**ARTICLE XI Amendments**

**Section 11.01** These Bylaws may be amended at any regular or special meeting of the membership by a majority vote of the members present, provided that at least thirty (30) days' notice of the proposed amendments has been made to the membership, or alternatively the membership waives the required notice.

**Section 11.02** No amendment shall be made to these bylaws which would cause the BBDC to cease to qualify as an exempt association under Section 501(c)(3) of the Internal Revenue Code of 1986 or the corresponding section of any future federal tax code or to put it in direct conflict with the MISD BCPOG or UIL Guidelines.

**Section 11.03** These Bylaws shall become effective immediately following ratification by the membership.

**Section 11.04** The Executive Board shall review these bylaws every three (3) calendar years to ensure they are current under federal tax codes, the MISD BCSSOG and UIL Guidelines. Even if no amendments are made, the review shall be documented in the BBDC records.

**Certification**

Carrie Navarre-Myers, President of Bear Baseball Diamond Club, and Brandon Clewett, Vice-President of Bear Baseball Diamon Club certify that the foregoing is a true and correct copy of the bylaws of the above-named organization, duly adopted by the initial Board of Directors on \_\_\_\_\_.

I understand & agree this is a legal representation of my signature.

Carrie Navarre-Myers, President

Signed \_\_\_\_\_ Date \_\_\_\_\_

Brandon Clewett, Vice-President

Signed \_\_\_\_\_ Date \_\_\_\_\_



# EXHIBIT A

## Hardship Application Form

The Bear Baseball Diamond Club (BBDC) helps to provide financial assistance to students that attend Montgomery High School (MHS) who would otherwise be unable to participate in the Montgomery High School Baseball program due to a financial hardship.

As we partner with families to support students' desire to participate in baseball, we have developed the following criteria to guide us as we select students who are in need of special consideration based on available funding.

- To ensure that we are able to use funds to assist as many children as possible, we may only be able to fund one player per household, per season.
- The BBDC may award a maximum of 100% of the membership fee per calendar year, per player.
- Funds are provided in two ways and vary annually. Funds are provided:
  - Through direct contributions to the BBDC by members, sponsors and donors.
  - Through funds received from fundraising events.
- Hardship funds only cover the one-time membership fee requested each year.
- When applicable, BBDC Board requests that the family volunteer in all fundraising events scheduled for the participation year.
- Students enrolled in baseball athletics at Montgomery High School are eligible for funding assistance at this time.

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Name: \_\_\_\_\_  
(Adult Submitting Application)

Date: \_\_\_\_\_

Phone Number: \_\_\_\_\_

Email: \_\_\_\_\_

We will not share your contact information with others.

Information about the Player:

Name: \_\_\_\_\_

Grade: \_\_\_\_\_

Season Year: \_\_\_\_\_

Do you have the necessary equipment/gear needed for this sport? \_\_\_\_\_

Are you aware of the obligations (practices, games)? \_\_\_\_\_

Amount Able to Pay: \_\_\_\_\_

Amount Requesting: \_\_\_\_\_

For Montgomery High School Diamond Club Use Only:

Approved \_\_\_\_\_ Disapproved \_\_\_\_\_ Amount, if any, Awarded \_\_\_\_\_

Baseball Head Coach Signature: \_\_\_\_\_

BBDC President Signature: \_\_\_\_\_

# EXHIBIT B





# Reimbursement Form

Fill out the form below completely. All receipts should be attached to the form and emailed to the Bear Baseball Diamond Club Treasurer.

Date \_\_\_\_\_

Approved By \_\_\_\_\_

Submitted \_\_\_\_\_

By Phone \_\_\_\_\_

Email \_\_\_\_\_

Reimbursement Type  Check  Venmo  Paypal

Type

\*Checks will be paid out to Submitted By name

\* Venmo/Paypal will be sent to email on form

Description of Purchase

Amount

_____	_____
_____	_____
_____	_____
_____	_____
_____	_____
_____	_____

Total \_\_\_\_\_

### Treasurer Use Only

Check Number \_\_\_\_\_ Amount \_\_\_\_\_

Date Email Address \_\_\_\_\_

# EXHIBIT C

# Cash Box Tally Sheet

## Beginning Cash Box

Date: \_\_\_\_\_

Function: \_\_\_\_\_

Cash Box \_\_\_\_\_

Coin:

\_\_\_\_\_ X \$0.01 = \$ \_\_\_\_\_

\_\_\_\_\_ X \$0.05 = \$ \_\_\_\_\_

\_\_\_\_\_ X \$0.10 = \$ \_\_\_\_\_

\_\_\_\_\_ X \$0.25 = \$ \_\_\_\_\_

\_\_\_\_\_ X \$0.50 = \$ \_\_\_\_\_

Total Coins \_\_\_\_\_

Currency:

\_\_\_\_\_ X \$1 = \$ \_\_\_\_\_

\_\_\_\_\_ X \$5 = \$ \_\_\_\_\_

\_\_\_\_\_ X \$10 = \$ \_\_\_\_\_

\_\_\_\_\_ X \$20 = \$ \_\_\_\_\_

\_\_\_\_\_ X \$50 = \$ \_\_\_\_\_

\_\_\_\_\_ X \$100 = \$ \_\_\_\_\_

Total Currency \_\_\_\_\_

Beg. Cash Box Total \_\_\_\_\_

Signatures

Rec'd by: \_\_\_\_\_

Rec'd by: \_\_\_\_\_

Rec'd by: \_\_\_\_\_

## Event Proceeds

Date: \_\_\_\_\_

Function: \_\_\_\_\_

Cash Box: \_\_\_\_\_

Coin:

\_\_\_\_\_ X \$0.01 = \$ \_\_\_\_\_

\_\_\_\_\_ X \$0.05 = \$ \_\_\_\_\_

\_\_\_\_\_ X \$0.10 = \$ \_\_\_\_\_

\_\_\_\_\_ X \$0.25 = \$ \_\_\_\_\_

\_\_\_\_\_ X \$0.50 = \$ \_\_\_\_\_

Total Coins \_\_\_\_\_

Currency:

\_\_\_\_\_ X \$1 = \$ \_\_\_\_\_

\_\_\_\_\_ X \$5 = \$ \_\_\_\_\_

\_\_\_\_\_ X \$10 = \$ \_\_\_\_\_

\_\_\_\_\_ X \$20 = \$ \_\_\_\_\_

\_\_\_\_\_ X \$50 = \$ \_\_\_\_\_

\_\_\_\_\_ X \$100 = \$ \_\_\_\_\_

Total Currency \_\_\_\_\_

Checks \_\_\_\_\_

Total Cash & Checks \_\_\_\_\_

\*Less Beg. Cash Box \_\_\_\_\_

Net Proceeds \_\_\_\_\_

Signature \_\_\_\_\_

Signature \_\_\_\_\_

Signature \_\_\_\_\_

\*This amount remains in cash box until event is completed.

# EXHIBIT D

# Bear Baseball Diamond Club

## DEPOSIT LIST & SLIP

ACTIVITY/SPORT: \_\_\_\_\_

DATE: \_\_\_\_\_

REVENUE SOURCE/EVENT: \_\_\_\_\_

PREPARED BY: \_\_\_\_\_

PHONE: \_\_\_\_\_

LAST NAME, FIRST NAME	CHECK#	CK AMT	CASH AMT	CASH		
1				BILLS		AMOUNT
2				X	100	
3				X	50	
4				X	20	
5				X	10	
6				X	5	
7				X	1	
8				<b>BILL TOTAL</b>		\$
9						
10						
11				COINS		AMOUNT
12				X	1.00	
B				X	.50	
14				X	.25	
15				X	.10	
16				X	.05	
V				X	.01	
18				<b>COIN TOTAL</b>		\$
19						
20						
<b>TOTALS</b>			\$			\$

	1st Count	2nd Count
TOTAL# of CHECKS		
CHECK TOTAL		
BILL TOTAL	+	
COIN TOTAL	+	
<b>DEPOSIT TOTAL</b>	=	

Prepared/1st Count Signature: \_\_\_\_\_

Date: \_\_\_\_\_

2nd Count Signature, if cash included: \_\_\_\_\_

Date: \_\_\_\_\_

**Instructions:**

- 1 Use this form when turning in any Booster Club monies collected. All cash and checks should be turned into the Booster Club Treasurer as quickly as possible.
- 2 Next to "REVENUE SOURCE", please fill in the activity that generated the cash and checks. Ex: Team Fees, Concessions, etc.
3. The person that prepares the deposit form should be the "1st Count" of funds. Please have a second person verify the amounts and check the "2nd Count" column if cash is part of the deposit. Please be sure any and all counters sign and date the slip.
4. Once a first and second count are complete and the deposit form is signed, please place the deposit form and all funds in an envelope or ziploc type bag. The completed deposit may be dropped off with the Booster Club Treasurer (address noted) or left in the Booster Club mailbox at MHS. Check with the front office for direction. Please call, text, or email the Booster Club Treasurer whenever dropping off any money. Thank you!
5. Keep a copy of this form for your activity/sport records.

**FOR TREASURER'S USE ONLY:**

DEPOSIT TOTAL VERIFIED: \$ \_\_\_\_\_

DEPOSIT DATE: \_\_\_\_\_

Treasurer Initials: \_\_\_\_\_

(II) CATEGORIES: \_\_\_\_\_



# EXHIBIT E

**Bear Baseball Diamond Club**

**Cash Withdrawal Request**

Date: \_\_\_\_\_

Amount of Cash Requested: \_\_\_\_\_

Cash Requested For: \_\_\_\_\_

Cash Requested By: \_\_\_\_\_

**RECEIPTS MUST BE TURNED IN WITHIN ONE WEEK**

Cash Amount Given: \_\_\_\_\_

Cash Received By: \_\_\_\_\_

Approved By: \_\_\_\_\_

Cash Amount Returned: \_\_\_\_\_

Receipts Total: \_\_\_\_\_ Cash

Variance: \_\_\_\_\_

Variance Initials: \_\_\_\_\_

Reason for Variance, if applicable: \_\_\_\_\_

Missing Receipts:            \_\_\_ Yes            \_\_\_ No

Reason for Missing Receipts, if applicable: \_\_\_\_\_

\_\_\_\_\_

Return Received By: \_\_\_\_\_

Date: \_\_\_\_\_



# EXHIBIT F



