

LAKEWOOD MARCHING SPARTANS

PROPOSED BYLAWS

For Board & School Administration Review

DRAFT - NOT YET ADOPTED

These proposed bylaws are intended for review by the Booster Board and Lakewood High School administration before formal adoption. They should be confirmed against current Pinellas County Schools Outside Support Organization requirements and the Organization's final corporate structure.

Proposed Organization:

Lakewood Marching Spartans Band Boosters

Prepared for:

Booster Board & Lakewood High School Administration

ARTICLE I - NAME

The name of this organization shall be the **Lakewood Marching Spartans Band Boosters**, hereinafter referred to as the "Organization" or "Boosters."

Upon incorporation, the Organization may conduct business under its full legal corporate name as registered with the State of Florida.

ARTICLE II - PURPOSE AND MISSION

Section 1. Purpose

The Organization is established to support, promote, and enhance the educational experience and music education opportunities of students participating in the Lakewood High School band program.

The Organization shall operate exclusively for charitable and educational purposes consistent with Section 501(c)(3) of the Internal Revenue Code.

Section 2. Activities

Activities may include, but are not limited to:

- Providing financial and volunteer support to the band program;
- Supporting student performances, competitions, travel, meals, equipment, uniforms, instruments, supplies, and educational opportunities;
- Conducting fundraising activities and soliciting lawful donations and sponsorships;
- Coordinating volunteers and supporting student recognition and awards;
- Supporting concerts, marching performances, competitions, Senior Night, banquets, and other band activities;
- Encouraging family and community involvement in the band program; and
- Supporting other needs consistent with the Organization's educational and charitable purpose.

Section 3. Nonprofit Operation

The Organization shall not be operated for the financial benefit of any individual member, officer, director, student, family, or private person.

No part of the net earnings of the Organization shall inure to the benefit of any private individual.

ARTICLE III - RELATIONSHIP WITH LAKEWOOD HIGH SCHOOL AND PINELLAS COUNTY SCHOOLS

Section 1. Independent Organization

The Boosters are a separate support organization established for the benefit of the Lakewood High School band program.

The Organization shall comply with applicable Pinellas County Schools policies and procedures, Lakewood High School administrative requirements, Florida law, federal law, and requirements applicable to Outside Support Organizations.

Section 2. School Administration

The Organization shall maintain communication with the Lakewood High School Principal or the Principal's designee regarding booster activities.

Nothing in these bylaws grants the Organization authority to bind Lakewood High School, Pinellas County Schools, or the School Board to any contract, debt, obligation, or agreement.

Section 3. School Employees

PCS employees, including the Band Director, may provide guidance and serve as school/program liaisons but shall not exercise financial authority prohibited by PCS policy.

A school employee shall not serve as an authorized signer on the Organization's outside bank account where prohibited by PCS requirements.

Section 4. School Name and Branding

Use of the Lakewood High School name, Spartan name, mascot, logos, trademarks, or other school branding shall be subject to any approval required by Lakewood High School and Pinellas County Schools.

ARTICLE IV - MEMBERSHIP

Section 1. Eligibility

Membership shall be open to parents and legal guardians of current Lakewood High School band students and other adults who support the purpose of the Organization, subject to applicable school and district requirements.

Section 2. Equal Participation

Membership shall not be denied on any basis prohibited by applicable law or district policy.

Section 3. Voting Members

Each eligible adult member shall have one vote. Students shall not vote on financial, contractual, corporate, or governance matters.

Section 4. No Ownership Interest

Membership does not create an ownership interest in Organization funds, property, equipment, donations, or other assets.

ARTICLE V - OFFICERS

Section 1. Officers

The elected officers shall ordinarily consist of President, Vice President, Secretary, and Treasurer. Additional positions may be established by vote of the membership or Board when necessary.

Section 2. President

The President shall provide general leadership to the Organization; preside over meetings; coordinate with the Band Director and school administration; ensure approved decisions are implemented; coordinate committees and major booster initiatives; maintain awareness of PCS OSO requirements; ensure appropriate financial controls are followed; serve as an authorized bank signer if eligible and approved; and perform other duties normally associated with the office.

The President shall not have unilateral authority to spend Organization funds except as expressly authorized by the approved budget or these bylaws.

Section 3. Vice President

The Vice President shall assist the President; perform the President's duties when the President is unavailable; coordinate projects and committees as assigned; assist with volunteer and fundraising activities; and serve as an authorized bank signer if eligible and approved.

Section 4. Secretary

The Secretary shall maintain accurate minutes of meetings; official governance records; approved bylaws and amendments; motions and votes; officer and committee records; required notices; and assist with organizational correspondence.

Section 5. Treasurer

The Treasurer shall maintain accurate financial records; income and expense ledgers; reconcile bank statements monthly; present regular financial reports; maintain receipts, deposits, reimbursements, donation and sponsorship records; assist with the annual budget; coordinate required financial reporting; and serve as an authorized bank signer if eligible and approved.

Financial oversight shall not rest exclusively with the Treasurer. The President and other authorized officers shall have reasonable access to financial records for oversight purposes.

Section 6. School Employees

PCS employees shall not hold a booster financial position or bank-signing authority where prohibited by PCS policy.

ARTICLE VI - ELECTIONS AND TERMS

Section 1. Elections

Officers shall be elected by eligible voting members. Nominations may include self-nominations.

Section 2. Term

Officers shall ordinarily serve a term of one school year and may seek reelection.

Section 3. Transition

Outgoing officers shall transfer all Organization property, records, passwords, financial documentation, keys, account information, and other Organization materials to their successors promptly after the transition. No outgoing officer may retain control over Organization accounts or property after leaving office.

Section 4. Vacancies

If an office becomes vacant, the remaining Board may appoint an eligible person to serve temporarily until the membership can confirm or elect a replacement.

Section 5. Removal

An officer may be removed for misuse of Organization funds or property; failure to perform required duties; serious violation of these bylaws; conduct materially harmful to the Organization; violation of applicable school or district requirements; or other substantial cause.

Removal shall require a two-thirds vote of eligible voting members present at a properly noticed meeting. The affected officer shall be given reasonable notice and an opportunity to address the membership before the vote.

ARTICLE VII - MEETINGS AND VOTING

Section 1. Meetings

Regular meetings shall be held as reasonably necessary during the school year.

Section 2. Special Meetings

Special meetings may be called by the President or a majority of the elected Board.

Section 3. Notice

Reasonable notice shall be provided to members regarding meetings involving significant votes.

Section 4. Quorum

A quorum shall consist of a majority of the currently serving elected officers plus at least two additional voting members. If membership size later makes this requirement impractical, it may be amended pursuant to these bylaws.

Section 5. Voting

Unless otherwise provided by these bylaws, a motion shall pass by a simple majority of eligible votes cast.

ARTICLE VIII - FINANCIAL MANAGEMENT

Section 1. Purpose of Funds

All Organization funds shall be used solely to further the Organization's charitable and educational purposes and support the Lakewood High School band program.

Section 2. Separation of Funds

Funds maintained through Lakewood High School's internal accounts and funds maintained by the Outside Support Organization shall be separately accounted for. Funds shall not be commingled. Transactions involving either type of account shall comply with the rules applicable to that account.

Section 3. Bank Account

The incorporated OSO shall maintain the number and type of bank accounts permitted by PCS requirements. The account shall be maintained under the Organization's legal name and EIN. No Organization funds shall be deposited into an officer's, parent's, student's, employee's, or other individual's personal account.

Section 4. Authorized Signers

Only eligible elected officers may serve as authorized signers where required by PCS policy. Authorized signers shall satisfy PCS restrictions regarding school employees, household relationships, and other eligibility requirements.

Section 5. Two-Person Financial Control

No single officer should exercise exclusive control over receipt, custody, authorization, payment, and reconciliation of Organization funds. Where required by PCS, checks shall contain two authorized signatures.

Section 6. Cash Handling

Whenever practical, at least two unrelated adults shall participate in counting significant cash receipts. Cash-count documentation shall identify the event, date, amount, individuals performing the count, and verification/signatures. Funds shall be deposited promptly.

Section 7. Receipts

Receipts or other supporting documentation shall be maintained for Organization expenditures.

Section 8. Reimbursements

Reimbursement requests must contain the requester name, date, business purpose, amount, supporting receipt/documentation, and required approval. Individuals shall not approve their own reimbursements.

Section 9. Budget

The Organization shall prepare an annual proposed budget. Material expenditures outside the approved budget shall require appropriate Board or membership approval.

Section 10. Financial Reporting

The Treasurer shall provide financial reports periodically, including available beginning balance, income, expenses, outstanding obligations, and ending balance.

Section 11. Bank Reconciliation

Bank statements shall be reconciled monthly. Financial records shall be available for appropriate Board oversight and any review required by PCS.

ARTICLE IX - FUNDRAISING, CONCESSIONS, AND DONATIONS

Section 1. Fundraising

All fundraising activities shall comply with Lakewood High School, PCS, Florida, and federal requirements.

Section 2. Identification of Fundraisers

Fundraisers conducted by the Organization shall be represented as booster/OSO activities when required and shall not improperly represent themselves as fundraisers conducted directly by Pinellas County Schools.

Section 3. Concessions

Concession operations shall maintain reasonable controls over inventory, starting cash, cash and electronic sales, expenses, donations, closing cash, deposits, and event reconciliation.

Section 4. Donations

All monetary and in-kind donations shall be appropriately documented. The Organization shall not represent donations as tax deductible unless legally permitted to do so. Until the Organization receives IRS recognition under Section 501(c)(3), donors shall be informed when contributions are not tax deductible as required by PCS.

Section 5. Restricted Donations

Donations designated for a particular lawful purpose shall be used consistently with the donor restriction when accepted by the Organization.

Section 6. Sponsorship Recognition

Sponsors may receive appropriate recognition consistent with school, district, legal, and Organization requirements.

ARTICLE X - VOLUNTEERS

Volunteers shall comply with applicable Lakewood High School and PCS requirements. The Organization may maintain records of volunteer participation, volunteer hours, event assignments, and required volunteer clearance status.

No booster position overrides PCS requirements concerning student supervision, background screening, or campus access.

ARTICLE XI - CONFLICTS OF INTEREST

Section 1. Disclosure

Officers and persons participating in Organization decisions shall disclose any actual or potential financial conflict of interest.

Section 2. Recusal

An individual with a material financial interest in a proposed transaction shall not vote on that transaction.

Section 3. Related-Party Transactions

Transactions involving an officer, officer's family member, or business in which an officer has a financial interest shall be evaluated carefully and approved only when the relationship has been fully disclosed; the transaction is in the Organization's best interest; the terms are fair and reasonable; and the interested person does not participate in the approval vote.

Section 4. Documentation

Conflict disclosures and related decisions shall be documented in the meeting minutes.

ARTICLE XII - COMPENSATION AND PRIVATE BENEFIT

Officers shall ordinarily serve without compensation for their service as officers. Nothing prohibits reimbursement of properly documented legitimate Organization expenses.

Organization funds shall not be used for the personal benefit of an officer, member, employee, student, or family except where the expenditure legitimately advances the Organization's charitable and educational purpose. No portion of the Organization's net earnings shall inure to the benefit of any private individual.

ARTICLE XIII - RECORDS

The Organization shall maintain appropriate records including Articles of Incorporation; bylaws and amendments; EIN documentation; IRS determination letter, if applicable; officer records; meeting minutes; budgets; bank statements; financial reports; receipts; deposit documentation; donation records; fundraising records; insurance documentation; required PCS documentation; and significant contracts and agreements.

Records shall be transferred to succeeding officers and shall remain property of the Organization.

ARTICLE XIV - INSURANCE AND RISK MANAGEMENT

The Organization shall maintain insurance required by Pinellas County Schools for an Outside Support Organization conducting fundraising or other activities. The Organization shall provide certificates or other proof of coverage as required.

No event shall knowingly be conducted in violation of applicable insurance requirements.

ARTICLE XV - POLITICAL AND LEGISLATIVE ACTIVITY

The Organization shall not participate or intervene in any political campaign on behalf of or in opposition to a candidate for public office.

No substantial part of the Organization's activities shall consist of attempting to influence legislation except as permitted for an organization exempt under Section 501(c)(3).

ARTICLE XVI - AMENDMENTS

These bylaws may be amended by a two-thirds vote of eligible voting members present at a properly noticed meeting. Proposed amendments shall be provided to members in advance when reasonably practical.

No amendment may authorize conduct inconsistent with applicable law, Section 501(c)(3) if applicable, Pinellas County Schools requirements, or Lakewood High School administrative requirements.

ARTICLE XVII - DISSOLUTION

Upon dissolution, no Organization assets shall be distributed to officers, members, students, parents, or other private individuals.

After payment of lawful liabilities, remaining 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 provision of any future federal tax code, or to the federal government or a state or local government for a public purpose.

To the extent legally permissible and consistent with Section 501(c)(3), preference may be given to an eligible organization or governmental entity capable of using the assets to support music education or students of Lakewood High School.

ARTICLE XVIII - COMPLIANCE

If any provision of these bylaws conflicts with controlling federal law, Florida law, or mandatory Pinellas County Schools requirements, the controlling requirement shall govern. The Board shall seek to amend these bylaws promptly to correct any such conflict.

CERTIFICATION AND ADOPTION

These bylaws were adopted by the membership of the **Lakewood Marching Spartans Band Boosters** on:

Date: _____

President

Name: Jonné Johnson

Date: _____

Signature: _____

Vice President

Name: Carmel Levy

Date: _____

Signature: _____

Secretary

Name: T Hayes

Date: _____

Signature: _____

Treasurer

Name: _____

Date: _____

Signature: _____

SCHOOL ACKNOWLEDGMENT / REVIEW

Cedric Sermons - Band Director

Signature: _____ **Date:** _____

Lakewood High School Administrator

Name/Title: _____

Signature: _____ **Date:** _____

School acknowledgment indicates receipt/review and does not make Lakewood High School or Pinellas County Schools a party to the Organization's private obligations.