



LA PRYOR ISD

Booster Club

&

Parent Teacher Organizations

Guidelines

2024-2025

HIGHLIGHTS

- **Annual Registration:** The following information must be submitted **annually** to the Finance office **September 1** (or within 60 days of formation).
 - Officer Contact Information
 - Names, Emails, and Phone Numbers
 - President, Secretary, and Treasurer
 - Organization Mailing Address
 - LPISD Sponsor Name(s)
 - Current Bylaws
 - Annual Financial Statements

- **Compliance:** By serving as a PTO/Booster Club officer, individuals agree to be familiar with and to maintain compliance with all requirements and limitations set out by board policy, the state of Texas, the federal government, and UIL guidelines.

- **Tax ID:** All PTOs/Booster Clubs must have a unique EIN (Employee Identification Number) that identifies the organization with the IRS. Under no circumstances can the District's EIN be used on behalf of the PTO/Booster Club or for tax exempt purposes.

- **Fundraising:** Submit fundraising forms to the Superintendent or designee for approval of any fundraising activities involving La Pryor ISD students, staff, or facilities.

- **Conflicts of Interest:** Officers and members must avoid actual conflicts of interest, or the appearance of conflicts of interest, between their personal interest and the interest of the PTO/Booster Club. For financial transactions, at least two members charged with the execution of said business transaction must not be related by blood, marriage or share a household.

INTRODUCTION

Community support organizations for the enrichment of education and activities of students are a valuable complement to each campus. Their activities often provide additional financial resources and enrichment for the programs they support. **Every Parent Teacher Organization (PTO) and Booster Club in the District must be familiar with and conduct all its activities in compliance with requirements and limitations set out by the State, Federal and the University Interscholastic League (UIL) Guidelines.** The full text of the UIL Guidelines is available online at <https://www.uilTEXAS.org/policy/guidelines-for-booster-clubs>.

This booklet supplements State, Federal and UIL Guidelines and communicates most of the district's rules for PTO/Booster Clubs that support its campus and extracurricular activities. PTOs/Booster Clubs exist to assist and support those activities but they are adjunct organizations to the school and are neither sponsored nor controlled by the school district.

Guidelines are subject to change at the discretion of La Pryor ISD. All PTOs/Booster Clubs must comply upon receipt of updates.

FORMATION, NAME AND REGISTRATON

Any PTO/Booster Club formed to support a district extracurricular activity must have bylaws that address the following topics:

- **Name of Organization:** The PTO/Booster Club name may include the program it supports – for instance “Bulldog Band Boosters,” “Bulldog PTO”, or “Bulldog Nation Athletic Boosters,” – and may include the name of the group or team it supports, but it may not include the school district's name with the designation “ISD” or “Independent School District” or any other designation suggesting or stating that the club is operated by the school district itself or any school campus.
- **Purpose:** Define the charitable purpose of the corporation. The nonprofit needs to make sure the purpose clause is not so narrow that it unduly limits the nonprofit's activities, and not so broad that it prevents the nonprofit from obtaining 501(c)(3) exemption from the IRS.
- **Meetings:** The frequency and place of meetings, the type of notice required, and whether directors may vote by written proxy.
- **Leadership:** The titles and specific responsibilities of the officers, qualifications for directors, the number of directors, the length of terms for the directors and officers, and the method for electing and removing directors and officers. The corporation must have a president, treasurer, and secretary, and a LPISD sponsor (Teacher).
- **Provisions for Membership:** Qualifications for membership, method of selection, voting rights, and the frequency and place of membership meetings.
- **Quorum:** The number of members or directors required for a quorum to conduct business, and the proportion of votes required to take action on a matter (pursuant to Texas law, an act of the board is an act of the majority of the directors present unless a greater number is required by the certificate or bylaws).

- **Financial Policies/Controls:** The signatures required for execution of legal documents, signatures required for checks, accounting method (i.e. cash or accrual), number of authorized signers on the bank account(s), and other controls over financial transactions and transfers of corporate assets. Reference Conflict of Interest guide included.
- **Committees:** The type of committee, responsibilities of committee, and qualifications for serving on a committee.
- **Fiscal Year:** The accounting period of the organization, which need not be the calendar year.
- **IRS Language:** Special clauses that relate to (i) the dissolution of the nonprofit, (ii) “inurement” and (iii) a general statement that the corporation may not take action that would be inconsistent with the requirements for tax exemption under Section 501(c)(3). It must be stated that, upon dissolution, any remaining assets will be distributed to other organizations exempt under Section 501(c)(3).
- **Bylaw Amendments:** The procedures for amending the bylaws. Amendments may be adopted by the Board, but in most cases they require a two-thirds vote of the members at a general meeting. Prior notice of the proposed amendment is always required, either at the previous meeting or at least a certain number of days before the vote. A committee may be appointed to write a revised set of bylaws. This usually requires a vote at a general meeting, but may also be allowed by a two-thirds vote of the Board. Requirements for adopting the revised set of bylaws should be the same as for an amendment.

Organizations will provide a copy of its bylaws to the Superintendent or designee before engaging in any activities other than those necessary to its formation and organizing meetings. The Superintendent or designee will review the bylaws to make sure that all the required topics are addressed but does not have the authority to change the bylaws. If the bylaws are incomplete, the PTO’s/Booster Club’s registration will be denied until the missing topics are included in the bylaws.

All PTOs/Booster Clubs must register **every year** with the Superintendent or designee by **September 1**. The following must be submitted to complete the registration: Officer Names and Contact Information, Organization Mailing Address/PO Box, LPISD Sponsor Name, Current bylaws, Annual Financial Statements. Newly formed groups must submit within 60 days of formation.

BECOMING A TAX-EXEMPT ORGANIZATION

Every organization must have an employer identification number (EIN), even if it will not have employees. The EIN is a unique number that identifies the organization to the IRS.

Since PTOs/Booster Clubs are separate entities from the district, PTOs/Booster Clubs **cannot use the district’s EIN**.

An organization is not automatically considered tax-exempt by acquiring an EIN. All organizations must first apply for an EIN to be recognized as a unique entity and then apply for tax-exempt status. Likewise, the mere fact that an entity is organized as a nonprofit organization does **not** indicate that it is exempt from federal tax.

Information, forms, and answers to Frequently Asked Questions about nonprofit, tax-exempt organizations and how to establish one are available online at www.sos.state.tx.us/corp/nonprofitfaqs.shtml.

After receiving an EIN, a PTO/Booster Club may open a bank account and obtain a State Sales Tax Permit. PTOs/Booster Clubs should not use an individual's social security number to conduct the business of the organization.

FUNDRAISING AND ACCOUNTING

- A PTO/Booster Club **must** have a President, Secretary and Treasurer in order to operate. One person **cannot** do all responsibilities since these positions act as a check and balance and provide good internal controls.
- A PTO/Booster Club **cannot** have spouses or family members hold the office of President and Treasurer at the same time.

Banking

PTOs/Booster Clubs should set up a bank account with the organization's EIN number. A person's social security number or the district's EIN number **cannot** be used to set up a bank account.

The district recommends that at least two authorized signatures be required for each check written to assist in establishing good internal controls over check disbursements. If a PTO/Booster Club requires two signatures for check disbursements, the bank account(s) should have a least three authorized signers to allow at least one back-up signer if one of the regular signers is not available.

Each month, the bank statement should be received, opened, and reviewed by an officer without signature authority (that is not a signer) on the organization's bank account. This person should review checks written to signers, check that all activity (deposits and expenditures) seem normal, and that the balance seems reasonable. Then the bank statements should be given to the Treasurer.

Conflict of Interest

Officers and members must avoid any conflict between their personal interest and the interest of the PTO/Booster Club. Officers and members must avoid actual conflicts of interest and the appearance of conflicts of interest. Officers and members must perform the day-to-day duties with integrity and in an ethical manner.

Fundraising

Financial assistance from PTOs/Booster Clubs for the purchase of additional equipment, instruments, or supplies related to the programs the school/clubs support is one of the most valuable roles that PTOs/Booster Clubs provide. PTO/Booster Clubs make direct contributions to the campus/club. The school will receive suggestions or recommendations on how the money should be spent, however the final decision on the use of funds must be in line with the district's goals and procedures.

Before beginning any fundraising activity in which students, staff or LPISD facilities are involved in any manner, the president or designated representative of a PTO/Booster Club must submit a Fundraiser Request Form for the activity to the School Principal or Sponsor, and the Superintendent or designee. The Fundraiser Request Form details the time period for the fund drive, the method by which the funds will be raised. The Superintendent or designee will review the proposal and if needed, meet with the PTO/Booster Club president or representative. The Superintendent or designee may designate another administrator, such as the campus principal, to review fundraising proposals.

The administration ordinarily will not authorize PTO/Booster Club fundraising activities that will occur at school and potentially interfere with or detract from instructional time or that will require excessive student time outside of school. Only fundraising activities that have received the administration's written authorization may be conducted using the name Bulldog, mascot image, or logo.

Raffles/Bingo

The school district is prohibited by Texas law from sponsoring or conducting any raffle or bingo game conducted for the purpose of raising money. However, there is a state Charitable Raffle Enabling Act (and also one for bingo) that allows organizations that support schools to conduct raffles under certain conditions. A "raffle" is any activity that involves awarding a prize – anything of value from a cake to a car – to one or more people who have purchased a ticket or promised something that has value in exchange for a chance to win a prize.

A "qualified nonprofit organization," however, may legally conduct a raffle to benefit the school district or a school program. A PTO/Booster Club can conduct a raffle if it meets all of these requirements:

- It doesn't distribute any of its money to members or officers except as reasonable reimbursement for approved expenses.
- It has been a bona fide 501(c)3 tax exempt organization as recognized by the IRS and the state of Texas for at least three consecutive years with officers elected by its members.
- It is not an organization that lobbies to affect legislation or take sides in elections for public office, including trustee elections.
- It has obtained an exemption from federal income tax from the Internal Revenue Service.
- It will not result in a cash prize of any kind being given to the winner.

Concession Stands

Booster Clubs are one of the organizations that the district authorizes to operate the concession stands at sporting events in order to raise funds for the organization. The principal can provide detailed information about how often the Booster Club will have this opportunity and specific rules for operating the concession stands.

Accounting

A PTO/Booster Club must file a financial statement annually by September 1st or within 60 days of formation with the Superintendent or designee. These statements may be reviewed or copied for any person who submits a written request to the Superintendent or designee.

Sales Tax

PTOs/Booster Clubs are not generally exempt from state sales tax laws. A PTO/Booster Club can sell tickets to an annual banquet or food sale without collecting sales tax, provided the members prepare, serve, and sell the food. PTOs/Booster Clubs may also sell meals and food products (including candy and soft drinks) without collecting sales tax when all the net proceeds of the sale go to the PTO/Booster Club for its use in supporting school activities. PTOs/Booster Clubs are responsible for obtaining necessary information from the Texas Comptroller of Public Accounts to make sure that they are collecting and accounting for state sales tax when that collection is required. You may obtain additional information on state sales tax requirements online at www.cpa.state.tx.us.

Financial and Legal Responsibility

The school district is not liable or responsible for any contracts or expenditures made by a PTO/Booster Club. Agreements for the purchase of goods to be resold for fundraising are the responsibility of the PTO/Booster Club entering the agreement, including snack foods and drinks purchased for re-sale at concession stands during athletic events. **We strongly encourage any PTO/Booster Club to obtain legal assistance before authorizing or signing any agreement or contract in the PTO's/Booster Club's name.** The district will not expend school district funds to pay any amounts due under such agreements or to represent a PTO/Booster Club in any legal action that may arise from the Club's activities.

REGULAR MEETINGS

The district would like for PTOs/Booster Clubs to meet at least quarterly, but the schedule for meetings is a organization's decision. PTOs/Booster Clubs are welcome to hold their meetings at school facilities, in the evening, after instructional activities are concluded. A representative must submit a written request to the campus principal to schedule a time and place for a meeting held on school property. Ordinarily the request should be submitted at least one week before the requested date. If the PTO/Booster Club has established a schedule for meetings, it can reserve times and places for regular use on a semester basis by submitting a request to the principal during the first week of each semester.

Meetings can be publicized in the district's social media outlets and marquee. Additionally, the meetings must be open to any resident of the community who wishes to attend. Other methods of publicizing PTO/Booster Club meetings are at the discretion of the PTO/Booster Club; however, distribution in school mailboxes or to student through classroom teachers is not permitted. As stated in the UIL Booster Club Guidelines, Clubs should have minutes of every meeting that detail what issues were discussed and what decisions were made. The campus principal may request any PTO/Booster Club to send a copy of PTO/Booster Club minutes to the school after each meeting.

The procedure of PTO/Booster Club meetings is under the control of the Club and its bylaws, which should provide for discussion and decision-making in an orderly fashion that recognizes the importance of treating participants in the meeting with respect and civility. Any PTO/Booster Club that does not maintain good order in its meetings will not be allowed to meet in school facilities.

WORKING WITH SCHOOL STAFF

PTOs/Booster Clubs are support organizations. Coaches and sponsors of extracurricular activities are school employees. Principals, coaches and sponsors are answerable only to their immediate supervisors and ultimately to the Superintendent, who has sole and final authority in the district for all UIL activities and extracurricular activities that are not affiliated with UIL.

Principals, coaches and sponsors will serve as an advisor at PTO/Booster Club meetings. They can provide any information that may be needed to operate efficiently and appropriately and be fully informed about PTO/Booster Club plans and activities. A principal, coach or sponsor does not have veto authority over a PTO/Booster Club decision, and a PTO/Booster Club does not have any authority over a principals, coaches or sponsors decision about the operation of the campus, team or other activity.

Most communications between PTOs/Booster Clubs and school staff can and should take place at the PTO/Booster Club meetings. Individual members of PTOs/Booster Clubs who have students in extracurricular activities, of course, may schedule meetings with school employees for discussions that are specifically related to their own child's progress or conduct. These meetings must be scheduled during the teacher's conference period and are treated like any other parent-teacher conference.

The parent's relationship to or position in a PTO/Booster Club must not be used to threaten, intimidate, or otherwise improperly influence any employee's performance of his or her primary duties in the school district or his or her performance of duties related to extracurricular activities. Any violation of this requirement will endanger the PTO's/Booster Club's ability to continue as an authorized Club working for the benefit of the program or activity.

A PTO/Booster Club member who has a complaint about a coach or sponsor must follow the district's established complaint policies to bring that matter to the attention of the employee and his or her supervisor. Such course of action shall end at a Level 2 with the Superintendent.

FIELD TRIPS AND TRANSPORTATION

School –Sponsored Field Trips

PTOs/Booster Clubs are encouraged to cooperate with teachers in all extracurricular activities, planning and implementing field trips that will further the instructional aims of the classes. Trips must be approved by the campus principal and superintendent. Student participants must comply with all school requirements for attending, including parent consent forms. The school will provide the transportation and all students and adult sponsors or chaperones must ride in the school transportation.

If circumstances arise making it necessary for parents or other volunteers, including PTO/Booster Club members, to transport students in their private vehicles for a school-sponsored field trip, all drivers must provide proof to the school district of valid drivers' license and insurance that meets the minimum liability requirements of state law.

Other School-Sponsored Trips

District policy requires that students traveling to any school-sponsored extracurricular activity use school-provided vehicles, such as buses or passenger vans. Those vehicles will be operated by school employees. Students may return from a school sponsored activity with a parent or other adult, provided the coach or sponsor has granted permission and the parent has submitted a written request designating the alternate transportation.

If circumstances arise making it necessary for parents or other volunteers, including PTO/Booster Club members, to transport students in their private vehicles for a school-sponsored extracurricular activity, all drivers must provide proof to the school district of valid drivers' license and insurance that meets the minimum liability requirements of state law.

Other Transportation Involving Students

Neither a PTO/Booster Club nor its members are agents of the school district when they transport students to activities that are not official school-sponsored field trips or extracurricular activities.

AWARD RESTRICTIONS

The University Interscholastic League has very strict limitations on the types of awards or benefits that student athletes and other student competitors can receive from their schools or booster organizations supporting the school activities. As stated at the beginning of this booklet, all Booster Clubs must know these restrictions and make sure that they are in complete compliance with UIL rules. If a Booster Club has any question about a planned activity, award, or benefit for UIL participants, contact the athletic director, coach, or Superintendent.

CONTACT AND QUESTIONS

For more information, please contact the office of the Finance Director, Miriam Del Rio Castillo at 830-365-4000 or miriam.delrio@lapryorisd.net