

KBBC Check Return Policy for Nonsufficient Funds

Dear KHS Band Parents:

As many of you know, our booster club strives to enhance the education of our students and assist the band directors in many ways. To do this, we rely heavily on the monies raised through various fund-raising activities. As we progress through the 2016-2017 school year, there will be many opportunities for you and your children to assist in raising the necessary funds to help us improve the band program here at Kennedale High School (KHS)

Although we realize that mistakes happen, it is important that we do our best to ensure that checks made out to the band boosters will clear the bank without being returned for non-sufficient funds (NSF). Each time checks are returned as NSF, we have to begin the process of collecting the amount of the check so that expenses related to the particular fundraiser as well as other expenses can be covered. This process takes time away from our volunteers. In addition, the bank assesses a \$12.00 fee to our account for *each* check that is returned for NSF. Although \$12.00 is not a lot, it can add up as time progresses causing us to use funds to cover those fees as opposed to using the dollars elsewhere.

According to Section 23.41 of the Texas Penal Code, Issuance of Bad Check,

- **The offense of "issuance of bad check" is a Class C misdemeanor.**
- **It is a crime for a person to issue or pass a check knowing that the person did not have sufficient funds on deposit with the bank to cover the check and any other check that was outstanding at the time the check was issued. The law presumes that the person knew that the check was bad if (a) the person had no account with the bank at the time of issuing the check, or (b) the person failed to pay the check within ten (10) days after receiving notice that the check was returned for "insufficient funds."**

It is for these reasons that KHS Band Booster Club (KBBC) has adopted the following policy on collecting checks and NSF checks. This policy will become effective August 1, 2014.

- Each student (or his/her parent) will be responsible for ensuring that all checks collected have a name, address, and telephone number on each check and the name of the students on the "for" line of each check collected.
- A record will be kept on each student for each fundraiser. The record will reflect the students name, his or her parent(S) name, address, and telephone number as well as the name and telephone number of each check collected by the student.
- The first time a check is returned, an attempt will be made to contact the individual who wrote the check. The individual will be given two options:
 - a. Paying cash or money order for the amount of the check and a \$12.00 fee, or
 - b. Advising that the check can be re—deposited as the funds are available and paying the \$12.00 fee.

It should, however, be noted that if option B is selected and the check(s) is returned a second time for NSF, the individual will be notified, in writing of the return check. The parent(s) of the student will also be notified via letter and will be responsible for ensuring that the booster club receives the amount of the check plus the \$12.00 fee. The parent(s) can pay "out of pocket" via either cash or a money order or contacting the individual who wrote the check and collecting either cash or a money order to cover the amount of the check plus the \$12.00 fee. The parent(s) will be given 15 days from the date of the letter to make contact with the booster treasurer.

If there is no contact information for the individual or the volunteer is unable to contact the individual after several attempts, the student's parent(s) will be contacted either by telephone, letter, or e-mail and given the following options:

1. Paying cash for the amount of the check and any associated fees charged to the KBBC account, or
2. Contacting the individual who wrote the check to inquire as to whether or not the funds are now available in his/her account. If so, the parent(s) will notify the treasurer by phone or e-mail to request that the check be re—deposited.

If the parent(s) selects option 2 and the check (s) are returned a second time for NSF, the parent(s) of the student will be notified. If this should happen, the parent(s) will receive a letter and will then be responsible for ensuring that the booster club receives the amount of the check plus any associated fees charged to the booster's account. The parent(s) can pay either paying "out-of-pocket" via cash or a money order or contacting the individual who wrote the check and collecting either cash or a money order to cover the amount of the check plus the \$12.00 fee.

- A list of the names of individuals whom we have received an NSF checks will be made and used for reference on future fundraiser events. If a student collects funds from an individual for whom we have received more than one in NSF check, the parent(s) will be notified, in writing that the check cannot be accepted and will be asked to either collect the funds from the individual as cash or money order. Otherwise, the order will not be submitted with the other orders and the student will not get credit for the sale of the item (s) ordered.
- The same policy will be applied to parent(s) of band students. The only difference is that the parent(s) is/are solely responsible for making sure that the booster club receives the funds.

We hope that you can understand our position regarding NSF checks and will work with us to ensure that everything runs smoothly.

Sincerely,

Kennedale Band Booster Club