

SEBASTIAN RIVER HIGH SCHOOL BAND BOOSTERS INC. BY-LAWS

Contents:	Article I	The Name
	Article II	The Purpose
	Article III	Membership
	Article IV	Meetings
	Article V	Duties of Officers and Executive Board Members
	Article VI	Election of Executive Board
	Article VII	Executive Board
	Article VIII	Scholarship
	Article IX	Committees and Subcommittees
	Article X	Sponsorship
	Article XI	Financial Activities
	Article XII	Amendments to the By-laws
	Article XIII	Emergency Procedures and Special Meetings
	Article XIV	Removal from Office

ARTICLE I: THE NAME

The name of this corporation shall be “The Sebastian River High School Band Boosters, Inc.”. It shall be a non-profit organization as duly filed.

ARTICLE II: THE PURPOSE

Section I

1. Support the goals and objectives of the band program as stated by the Band Director.
2. To assist the Band Director and the students with administrative and logistical support when requested.
3. To help promote a positive image of the band program throughout the community.
4. To provide financial support to the band program in accordance with Article X “Financial Activities”.
5. To foster communication between the Band Director, band parents, and the band members.
6. To foster a feeling of parental involvement and support between parents and students.

Section II

1. To organize the activities of the parents of students in the Sebastian River High School Band Boosters when the activities are for the purpose of either providing either financial or physical assistance to any program specifically involving the Band Program.
2. Said activity(ies) as mentioned in Section II, Paragraph I above, are to be agreed upon by a majority of the voting members in attendance at the regular meeting of the Sebastian River High School Band Boosters, or be a majority vote of the Executive Board, when the activity(ies) are presented for approval.

ARTICLE III: MEMBERSHIP

Section I

Parents or legal guardians of Sebastian River High School Band students shall be considered members. Membership means that these individuals are voting members permitted to hold elected office, chair committees, place motions on the floor for consideration, and second any motion in place on the floor. For the purpose of these Bylaws, "parents or legal guardians" shall mean biological (or natural) parents, step-parents or court-appointed legal guardians.

ARTICLE IV: MEETINGS

Section I

A general membership meeting will be held within the first month of the beginning of the school year. Additional general membership meetings will be held as needed.

Section II

At the general membership meetings of the organization, those voting members present shall constitute a quorum.

ARTICLE V: DUTIES OF OFFICERS AND EXECUTIVE BOARD MEMBERS

Section I

The President shall discharge the duties normally associated with the office of President and serve as an ex-officio member of all committees, with the exception of the nominating committee and scholarship committee. These duties and responsibilities shall include, but not be limited to: signing all instruments which the organization has authorized to be executed (in conjunction with a second elected Board officer) except where the signing and execution thereof shall be expressly delegated by the Board or the

Bylaws to some other officer of the organization. The President shall also be responsible for appointing a chairperson for all committees subject to the approval of the Band Director. The President shall prepare an agenda for meetings of the Executive Board as well as for the general membership meetings that will not conflict with any band activities.

Section II

The Vice-President shall perform all designated duties, with rights, privileges and authority of the President in his or her absence. The Vice-President shall further be an ex-officio member of all committees, with the exception of the nominating and scholarship committees, and shall perform other duties that may from time to time be assigned by the Board.

Section III

The Secretary will prepare a calendar of all scheduled Executive Board meetings and general membership meetings for publication in the *Take Note Newsletter*. The Secretary shall be responsible for releasing official communications to Boosters through email, web page, newsletter and the telephone committee. The Secretary shall record minutes of each regular meeting and Executive Board meeting and shall perform such other duties as pertain to that office. All minutes shall be maintained by the Secretary and shall be available at all regular meetings.

Section IV

The Treasurer shall collect all money and pay all authorized bills and perform all financial duties in accordance with ARTICLE XI: FINANCIAL ACTIVITIES.

Section V

The Ways and Means Chairperson shall be responsible for the collection of all money due the Booster organization by way of fund raisers. The Ways and Means Chairperson may appoint a chairperson for specific fund raisers. The Ways and Means Chairperson shall be responsible for submitting a report of money collected at the time the funds are submitted to the Treasurer. The Ways and Means Chairperson shall be responsible for collecting funds and keeping an accurate record of all fund raising expenditures and submitting a copy of this record to the Executive Board at their regular monthly meeting, or as often as is necessary.

Section VI

The Chaperon Chairperson shall be responsible for the Safety and First Aid Committee. The Chaperon Chairperson shall establish a list of volunteers to chaperon various band events and assign chaperones to accompany students on all trips as requested by the Band Director. In addition, the Chaperone Chairperson shall be responsible for maintaining and amending the chaperone handbook as dictated by the needs of the Sebastian River High School Band program.

Section VII

The Equipment and Logistics Chairperson shall have the duties as designated in Article IX, Section IV.

ARTICLE VI: ELECTION OF EXECUTIVE BOARD

Section I

The Sebastian River High School Band Booster Executive Board shall be made up of 7 (seven) elected members as follows:

1. President
2. Vice-President
3. Secretary
4. Treasurer
5. Ways and Means Chairperson
6. Chaperone Chairperson
7. Equipment and Logistics Chairperson

All of these positions are voting positions of the Executive Board.

Section II

The Nominating Committee cannot re-nominate an officer who has held the same office for two consecutive years. Should the Nominating Committee be unsuccessful in its attempts to find a new candidate for a particular office, it shall so state in its report at the next Executive Board meeting. If there are no nominees presented to the Board, a member of the Band Boosters may nominate the prior incumbent officer for another one year term at the general membership meeting. Other candidates may also be nominated from the floor.

Also, should an officer voluntarily resign or be removed from office for reasons stated under Article XIII "Removal From Office", then the President and the Band Director shall appoint a replacement to complete the remainder of the term. The said replacement may be the prior officer who previously held the position for two consecutive years. In the event the President cannot complete the term, the Vice-President shall assume the role of the President, and he or she and the Band Director shall appoint a new Vice-President to hold office until the end of the term.

Nominations and its governing rules are addressed in Article IX, Section X.

Section III

The Sebastian River High School Executive Board shall be elected by written ballot prepared by the Nominating Committee. Write-in candidates will be accepted until nominations are closed. Elections will be held at the general membership meeting with newly elected Board Members taking office on June 1st with full voting privileges. All outgoing officers will continue to serve until July 1st as non-voting ex-officio members to

effect a one-month transitional session. All votes must be cast in person, by ballot. Absentee ballots are prohibited.

ARTICLE VII: EXECUTIVE BOARD

Section I

The Executive Board shall consist of ten (10) members as follows: President, Vice-President, Secretary, Treasurer, Ways and Means Chairperson, Chaperon Chairperson, Equipment and Logistics Chairperson, Band Director, Assistant Band Director and Flag Corps Instructor. The Band Director, Assistant Band Director and Flag Corps Instructor shall be advisory, non-voting members of the Board.

Section II

The Executive Board shall meet monthly or as needed to conduct the necessary business of the organization. The Executive Board meetings will be announced in the *Take Note Newsletter*.

Section III

The Executive Board shall appoint a committee by June 1st to audit the Treasurer's accounts. The audit is to be completed by June 30th. The committee shall consist of at least one member of this organization who is not a member of the Executive Board and two non-members of the Band Booster Organization with a financial background.

ARTICLE VIII: SCHOLARSHIP

Section I

The Scholarship Chairperson shall be responsible for receiving applications from graduating seniors. The Scholarship Chairperson shall appoint a committee of community members not associated with the Sebastian River High School Band to review applications and select scholarship recipients.

ARTICLE IX: COMMITTEES AND SUBCOMMITTEES

All committees are to meet as necessary for each particular committee to fulfill its responsibilities to the organization.

Section I

WAYS AND MEANS COMMITTEE: Shall be responsible for investigating suggested fund raisers, selecting appropriate fund raisers for presentation to the Executive Board, monitoring ongoing fund raisers and organizing annual fund raisers. Further, this committee shall be responsible for organizing and staffing all fund raising activities as necessary.

Section II

UNIFORMS COMMITTEE: Shall be responsible for fitting, repairing, replacing, storing and issuing band uniforms as requested by the Band Director. The committee may sell necessary uniform accessory parts to the students as needed.

Section III

HOSPITALITY COMMITTEE: Shall coordinate the preparation of refreshments at various meetings, concerts and events and for guests as requested by the Band Director.

Section IV

EQUIPMENT AND LOGISTICS COMMITTEE: Shall coordinate and supervise the loading and unloading of band equipment whenever the band travels. Shall make certain all equipment gets to its proper place at performance. Shall coordinate refreshments for visiting bands and the Marching Sharks.

Section V

TELEPHONE COMMITTEE: Shall maintain, in conjunction with the Secretary, phone lists of all members and students. Shall also contact members by phone when special requests or activities warrant.

Section VI

NOMINATING COMMITTEE: The President and the Band Director shall appoint a minimum of two individuals from the non-returning senior parents to constitute this committee, none of whom sit on the Executive Board. The general membership shall be notified of the committee's nominations one month prior to the election.

Section VII

BYLAWS COMMITTEE: Shall be responsible for maintaining the organization's Bylaws and making recommendations to the Executive Board.

Section VIII

SAFETY AND FIRST AID COMMITTEE: Shall maintain a roster of all band students with special needs, routine medication, and signed medical releases for all students. It is the responsibility of the chairperson to coordinate the procedures of this committee with the rules and procedures as set forth by the Indian River County School District.

ARTICLE V: SPONSORSHIP

Sponsorship applications will be submitted to the Band Director for approval based on financial need.

ARTICLE XI: FINANCIAL ACTIVITIES

Section I

Being a non-profit corporation, all funds earned by this organization shall be used in accordance with the approved budget. A Treasurer's report will be read at each general membership meeting. The records of the Treasury shall be open at all times for inspection by any member of the organization. Further, the Treasurer shall sign and prepare The Annual Corporate Report, 1099 Forms, Corporate Tax Return and Tax Exempt Certification as each shall become due. At the termination of the term of office or annually, all funds of the organization shall be turned over to the Treasurer's successor. The Treasurer shall be responsible for submitting a report of money collected and indicating the amount and from what source collected at the time the funds are submitted to the Treasurer.

Section II

The Sebastian River High School Band Boosters, Inc. is organized exclusively for educational purposes, including contributions to organizations that qualify as exempt organizations under Section 501[c][3] of the Internal Revenue Code, or corresponding section of any future federal tax code.

No part of the net earnings of the Sebastian River High School Boosters, Inc., shall benefit or be distributed to its members, trustees, or officers. The Booster organization shall not participate in, nor intervene in (including the publishing or distribution of statements) any political campaign on behalf of any candidate for public office.

Upon the dissolution of the Booster Organization, assets shall be distributed to the Sebastian River High School Band internal activity fund.

Section III

The Sebastian River High School Band Booster Executive Board shall prepare a proposed balanced budget for presentation to the general membership at the August membership meeting. The Board shall have at its disposal a "contingency fund" not to exceed 10% of the total budgeted income per year to be used at its discretion. A simple majority vote of the Executive Board shall be required for approval of expenditures of the "contingency fund". The maximum total equity balance including reserves shall not exceed one year's operating expenses. Within the total equity balance 90% shall be reserved for future uniform replacement, band trips, equipment purchases, and/or any expenditure directly associated with this Band organization.

Section IV

The Band Director shall prepare and present to the Executive Board a proposed annual budget at the summer Budget meeting.

Section V

The Executive Board may authorize any officer or agent to enter into any contract or execute and deliver any document in the name of or on behalf of the organization and such authority may be general or confined to specific instances.

No loans shall be contracted for on behalf of the organization and no evidence of indebtedness shall be issued in its name.

All check, drafts, or other order for payment of money, or notes issued in the name of the corporation, shall be signed by two of the following Officers of the organization: President, Vice-President, and Treasurer.

During the period between June 1st and the approval of the budget, the Band Booster organization may continue to receive and disburse funds under the direction of the Executive Board as may be necessary to continue operations.

Section VI

Payment by an party to the Band for any required sums due such as annual membership fees, financial plan installments, fund raiser proceeds, special event fees, band shirts, jackets, or any other articles of clothing, etc. shall be made by money order, cashier's check, traveler's check or personal check. Amounts exceeding \$10.00 must be submitted in a form other than cash. Pre-numbered receipts shall be given and a copy retained for all payments received in excess of \$10.00 that are not remitted in the form of a check.

Section VII

Financial records shall be retained for three years past filing an audit.

ARTICLE XII: AMENDMENTS TO THE BYLAWS

Procedures for amending Bylaws shall be as follows:

1. There shall be three methods for making proposed amendments to the Bylaws:
 - A. The Bylaws Committee shall meet a minimum of once every three years to review the Bylaws and shall draft any necessary changes to the Bylaws.
 - B. The Executive Board shall advise the Bylaws Committee, in writing, of the need for changes or clarification of the Bylaws.
 - C. Any member may draft a proposed change and deliver same to the Bylaws Committee in writing.
2. Upon receipt of notice in writing of a proposed change to the Bylaws, the Bylaws Committee shall meet and shall draft recommended revisions to the Bylaws and shall submit same to the Executive Board for approval. This meeting shall be announced open to all members. The Bylaws Committee shall have

the authority, upon a majority vote of those members present, to decline to present a proposed amendment to the Executive Board.

3. At the next regularly scheduled general membership meeting, copies of the proposed changes shall be distributed to the general membership. The President shall state the specific Articles and Sections to be added, deleted, and/or revised for the record. Any discussion with regard to the proposed changes shall be had at this meeting. However, if necessary, the President may call a special meeting of the general membership to discuss the amendments. In no case, however, shall the special meeting be called any later than two weeks prior to the vote by the general membership. This special meeting shall be noticed at the general meeting where the original discussion of the amendment takes place.
4. At the next regularly scheduled meeting of the general membership following the meeting wherein proposed changes are read and discussed, the membership shall vote to approve or disapprove the proposed additions, deletions or revision to the Bylaws with no further discussion. A majority of the affirmative voting membership in attendance is required for adoption of the changes. The membership may vote to return the proposed changes to the Bylaws Committee for further revision.
5. Upon adoption by votes of the general membership, the approved additions, deletions and/or revisions shall become effective immediately. The Bylaws shall be retyped to reflect the adopted changes at the earliest possible time, but no later than one month following the vote. The date on which the changes to the Bylaws are adopted shall be so noted on the retyped original. Copies of the amended Bylaws shall be available to the general membership upon request.

ARTICLE XIII: EMERGENCY PROCEDURES AND SPECIAL MEETINGS

Section I

Members have a right, as a whole, to call an emergency meeting for any purpose. This special meeting of the members may be called by the President, or the Board, or by 51% of the members upon notice to all members.

ARTICLE XIV: REMOVAL FROM OFFICE

Section I

A Board member of the Executive Board may be removed from office for one or more of the following reasons by a majority vote of the Executive Board members having met the requirements for a quorum during a special meeting known specifically as a "Judiciary Meeting" as described herein, which may be called in accordance with Article XII (Emergency Procedures and Special Meetings) of the Bylaws:

1. Extreme negligence in performing the respective duties of the elected or appointed office.

2. Disgraceful and/or disorderly conduct of the Board member resulting in extreme embarrassment to Sebastian River High School Band and/or Executive Board. In determining conduct, the Student's Code of Conduct shall be the guideline.
3. Failure to attend two or more Executive Board meetings without just cause after being properly notified of the specific time, date and place of the meeting.
4. Arrest and conviction for a criminal offense.
5. Departure of the Board member's student(s) from the enrollment of the Sebastian River High School Band leaving no student within the Board member's family in the band.

Section II

At least one week prior to the date, for which a "Judiciary Meeting" is called, the President of the Executive Board shall inform the accused Board member of the charge(s) against him or her in accordance with Section I above. If the accused Board member is the President, it shall be the responsibility of the Vice-President or any other Board member of the Executive Board to notify Board members of the specific time, date, and place of the judiciary meeting and to inform the accused Board member of the charge(s) against him or her. The judiciary meeting shall be opened by the President or presiding Board member stating the time, date, and place of the meeting for the record, calling the roll of the Board members, and providing that a quorum is present and an explanation of why the meeting was called. Should the accused Board member fail to attend, the President or presiding Board member shall delay the meeting for more than ten (10) minutes to afford ample opportunity for the accused Board member to attend. Should the accused member not attend the judiciary meeting, the meeting shall proceed without the accused Board member being present, or members of the Executive Board may reschedule the meeting if a majority votes in favor of doing so.

Section III

The President or presiding Board member shall state for the record the charge(s) against the accused. The accused Board member has the right to explain his or her reasons in refuting the specific charges at the meeting in either written or oral statements. Written statements may be accepted by the President or presiding Board member any time prior to the meeting or during the meeting prior to the actual vote by the Executive Board. The Executive Board shall admit and hear the statement(s) of the accused Board member in its entirety before voting on the removal or retention of the accused Board member. The Secretary or Secretary in Absentia shall record the vote. The vote shall be by roll call only. Should the majority vote cast prove to be in favor of removal of the accused Board member from his or her office, then the accused Board member shall be formally dismissed from his or her position by the President or presiding Board member before the meeting is adjourned. The Secretary shall send written confirmation of the decision of the Executive Board to the accused Board member.

Section IV

Once a Board member is removed from office, his or her successor shall be appointed by the President at the next meeting of the Executive Board in accordance with Article VI, Section IV of the Bylaws.

Section V

The organization can be dissolved by either of the following methods:

1. The Organization may take a vote to dissolve by a majority vote at a general membership meeting at which a quorum is present. At least one week prior to such meeting, all members must have been informed of the intent to dissolve.
2. The Principal of Sebastian River High School and the Band Director may direct the dissolution of the Organization by placing a request for dissolution of the Organization in writing to the Executive Committee of the Organization. Such request must have the signatures of both the Principal and the Band Director and shall state the reason for the dissolution and the effective date which must be no sooner than 30 days from the date of the letter.
 - a. Within 14 days of receipt of such letter, the executive committee may request the membership to vote to appeal the request to dissolve.
 - i. Upon a 2/3 vote of all members to appeal the directive to dissolve, the executive committee shall appeal the dissolution request to the Superintendent of Schools
 - ii. If no action to appeal is taken by the general membership, the dissolution shall take effect on the date requested.
 - b. If a vote is taken to appeal the decision, a written justification for continuation of the Organization must be submitted to the Superintendent of Schools within 21 days of the receipt of the letter. Until the Superintendent acts on the appeal, the Organization shall remain intact. The decision of the Superintendent shall be binding. Failure to submit the appeal within 21 days shall result in dissolution.

Upon dissolution, after paying all liabilities of the association, all of the assets of the Sebastian River High School Band Boosters, Inc. shall be turned over to Sebastian River High School and placed into a Band General Fund with no money reverting to the members of this organization. The funds in the Band General Fund shall be spent for the purpose of the organization until all such funds are entirely expended.

Section VI

These Bylaws acknowledge and recognize that all policies of the Indian River County School Board and the Sebastian River High School will govern all student activities.