

## SEBASTIAN RIVER HIGH SCHOOL BAND BOOSTERS INC. BY-LAWS

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### ARTICLE I: THE NAME

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

### ARTICLE II: THE PURPOSE

#### Section I

1. Support the goals and objectives of the SRHS Band Program as stated by the Band Director(s).
2. To assist the Band Director(s) 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 XI “Financial Activities”.
5. To foster communication between the Band Director(s), 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 Band Boosters when the activities are for the purpose of providing either financial or physical assistance to any program specifically involving the Band Program.

2. The Band Boosters will operate strictly for charitable purposes within the meaning of Section 501(c)(3) of the US Internal Revenue Code.

### **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 voting purposes each family is allowed one vote per band member in good standing. For the purpose of these Bylaws, “parents or legal guardians” shall mean biological (or natural) parents, step-parents or court-appointed legal guardians.

#### Section II

Former parents, alumni, or other community members or family members can be considered as non-voting members of the Sebastian River Band Boosters and may still volunteer according to Article II, Section II. as long as the activity(ies) do(es) not require supervision of students (chaperoning).

### **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: ELECTION OF EXECUTIVE BOARD**

#### Section I

The Sebastian River High School Band Booster Executive Board shall be made up of 5 (five) elected members as follows:

1. President
2. Vice-President of Operations
3. Vice-President of Ways & Means
4. Vice-President of Equipment
5. Secretary/Treasurer

All of these positions are voting positions of the Executive Board. In the event of a tie vote on any particular issue, the President shall have the authority to break the tie and move the matter forward.

## Section II

All elected Sebastian River High School Executive Board officers will serve a one-year term. No term limit will be set on the number of terms a member may serve.

Should an officer voluntarily resign or be removed from office for reasons stated under Article XIV "Removal From Office", then the President and the Band Director shall appoint a replacement to complete the remainder of the term. In the event the President cannot complete the term, the Vice-President of Operations shall assume the role of the President, and he or she and the Band Director shall appoint a new Vice-President of Operations to hold office until the end of the term.

Nominations and its governing rules are addressed in Article V, Section III.

## Section III

The Sebastian River High School Executive Board shall be elected by written ballot prepared by the Nominating Committee. Additional nominations may be made from the floor by an active member of the SRHS Band Booster organization, provided the consent of the nominee has been obtained. A nomination must receive a second for the nomination to be valid. Elections will be held at the General Membership Meeting with newly elected Board Members taking office on June 1<sup>st</sup> with full voting privileges. All outgoing officers will continue to serve until July 1<sup>st</sup> as non-voting ex-officio members to effect a one-month transitional session. Information about the upcoming election of Band Booster Officers will be publicized approximately one month in advance of the election. The general membership shall be notified of the committee's nominations approximately one week prior to the election. All votes must be cast in person, by ballot. Absentee ballots are prohibited. Each family in attendance at the General Membership Meeting may cast one vote per band student per school year in any given election.

## **ARTICLE VI: DUTIES OF OFFICERS AND EXECUTIVE BOARD MEMBERS**

### Section I

The President shall discharge the duties normally associated with the office of President and may serve as an ex-officio member of all committees. 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 not under the purview of any Vice President, subject to the approval of the Band Director.

*The President will:*

- Preside at all SRHSBB and Executive Board meetings and have general supervision of the activities of the SRHSBB
- Work closely with the Band Director in planning and directing the activities of the SRHSBB;
- 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.

- Serve as the contact person for all requests relating to the Boosters; Serve as the Prism committee coordinator/chairperson
- Appoint chairmen and oversee the following committees:
  - Prism Committee (President assumes the chair of this committee)
  - Public Relations/Public Newsletter Committee
  - Senior & Summer Music Camp Scholarship Chairman
- Appoint ad hoc committees as needed;
- May serve as an ex-officio member of all committees;
- Designate the Vice-President of Operations to preside in the absence of the president; if neither is available, the president will name a board member to preside and carry out functions of the president at a specific meeting.

## Section II

*The Vice-Presidents will:*

- Attend all Executive Board meetings unless notifying the President prior to a given meeting;
- Report on the activities of the committees that they oversee;
- May serve as ex-officio members of those committees; and
- Assume chairmanship of any committee they oversee that is without a chair

## Section III

The Vice-President of Operations shall perform all designated duties, with rights, privileges and authority of the President, in his or her absence. The Vice-President may be an ex-officio member of all committees, and shall perform other duties that may be assigned by the Board. The Vice-President of Operations will ensure all chaperones have attended a yearly training session, are current parents or legal guardians of current students, and are over the age of 25. In addition, the Vice-President of Operations shall be responsible for maintaining and amending the Chaperone Handbook as dictated by the needs of the Sebastian River High School Band Program.

The Vice President of Operations will appoint chairmen and/or oversee the following committees (subject to approval of the Executive Board & Band Director):

- Chaperone Coordinator – appointed by Band Director
- Hospitality Committee
- Band-Aide Committee
- Color Guard Liaison – appointed by Color Guard Director
- Percussion Liaison – appointed by Percussion Director

## Section IV

The Vice-President of Ways and Means shall be responsible for the collection of all money due the Sebastian River Band Boosters by way of fund raisers. The Vice-President of Ways and Means shall be responsible for submitting a report of money collected at the time the funds are submitted to the Treasurer. They 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.

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.

The Vice President of Ways and Means will appoint chairmen for and oversee the following committees (subject to approval of the Executive Board & Band Director):

- Concession Chairman
- Sponsorship, Football & Prism Program Ad Chairman
- Twilight Chairman
- Chairmen for various student fundraisers throughout the calendar year

#### Section V

The Vice-President of Equipment 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 rehearsals and performances.

The Vice-President of Equipment will appoint chairman for and oversee the following committees (subject to approval of the Executive Board & Band Director):

- Uniform Committee
- Equipment Crew
- Prop Crew
- Small Projects Crew

#### Section VI

The Secretary/Treasurer shall record minutes of each General Membership Meeting and Executive Board Meeting. All minutes shall be maintained by the Secretary/Treasurer and shall be available at all General Membership Meetings.

The Secretary/Treasurer, in conjunction with the Band Secretary and Band Bookkeeper, shall collect all money and pay all authorized bills and perform all financial duties in accordance with Article XI: Financial Activities.

### **ARTICLE VII: EXECUTIVE BOARD**

#### Section I

The Executive Board shall consist of seven (7) members as follows:

President

Vice-President of Operations

Vice-President of Ways & Means

Vice-President of Equipment

Secretary/Treasurer

Band Directors (2)

The Band Director and Assistant Band Director and all committee chairs 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 posted on the band website calendar.

## 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 other volunteers with a financial background, one of which must not be a member of the SRHS Band Booster organization.

## **ARTICLE VIII: COMMITTEES AND SUBCOMMITTEES**

All committees are to meet as necessary for each particular committee to fulfill its responsibilities to the organization. Committee chairs will attend the Executive Board meetings as necessary.

### Section I

#### **PRESIDENT oversees:**

##### **PUBLIC RELATIONS COMMITTEE:**

The Public Relations Chairman will disseminate information regarding upcoming band events & recent awards and honors to local news sources. This chair assists in preparing information to be posted to the band's social media accounts and also assists with the promotion of upcoming band events both electronically and in print.

##### **SCHOLARSHIP COMMITTEE:**

The Scholarship Chairperson shall be responsible for receiving applications from graduating seniors & those seeking summer music camp scholarships. The Scholarship Chairperson shall appoint a committee of community members not associated with the Sebastian River High School Band to review applications and select Senior scholarship recipients. The Scholarship Chairperson will coordinate with the Band Directors to select local area music teachers to review applications and select Summer Music Camp scholarship recipients. The Chair also prepares scholarship certificates to be presented at Band Awards.

##### **PRISM COMMITTEES & DUTIES:**

The President oversees the following Prism Committees:

- General Ticket Sales (at various local events)

- Benefactor Ticket Sales

- Decorating Ushers

- Ticket takers

- Chauffeurs (Golf Carts for the elderly)

- Prism Benefactor Dinner

## Section II

### **VICE-PRESIDENT OF OPERATIONS oversees:**

**CHAPERONE COORDINATOR:** – appointed by Band Director

The Chaperone Coordinator shall establish a list of volunteers to chaperone various band events (including Prism) and assign chaperones to accompany students on all trips as requested by the Band Director.

**HOSPITALITY COMMITTEE:**

The Hospitality Chairperson(s) shall coordinate food & drinks at any band events (with the exception of Prism Benefactor Dinners). These events include, but are not limited to: Coordinating meals for band camp staff, snack breaks during band camp, pre-game meals for students, drinks for the band students after half-time, food and water for band travel and the SRHS teacher meal on Conference Night.

**BAND-AIDE COMMITTEE:**

The Band-Aide Chairperson shall be responsible for securing first-aid chaperones for all band activities, compile and list the student's medical history, medications and allergies as well as emergency contact information, ensure that CPR training is conducted annually for Chaperones, stock the medical bags for all events and perform other duties as needed related to ensuring that the band students medical conditions are cared for at all activities.

**COLOR GUARD LIAISON:** - appointed by Color Guard Director

The Color Guard Liaison will ensure that all color guard events are adequately chaperoned and will coordinate fundraisers and other activities in regards to the Color Guard (all fundraisers must be coordinate with the Vice-President of Ways & Means and approved the Executive Board).

**PERCUSSION LIAISON:** - appointed by Percussion Director

The Percussion Liaison will ensure that all percussion events are adequately chaperoned and will coordinate fundraisers and other activities in regards to the Percussion section (all fundraisers must be coordinate with the Vice-President of Ways & Means and approved the Executive Board).

## Section III

### **VICE PRESIDENT OF WAYS & MEANS oversees:**

**CONCESSION CHAIRMAN:**

The Concession Chairman plans the concession menu and oversees the purchasing of all food to be sold at Football games and other designated events. The Concession Chairman also coordinates the volunteers to work (cook, clean, sell, etc.) the concession stand events.

**BAND SPONSORSHIP, FOOTBALL & PRISM PROGRAM AD CHAIRMAN:**

The Band Sponsorship & Prism Program Ad Chairman maintains records of businesses & individuals that have sponsored the band or taken out a Prism ad previously and seeks to maintain those previous patrons, while also seeking new patrons. This chairman produces the list of sponsors to be included in the Prism program and also coordinates the creation of the Prism program ads.

**TWILIGHT CHAIRMAN:**

The Twilight Chairman coordinates the annual Twilight event. The Chair helps select the venue, fills out paperwork for any necessary permits, and is the liaison between the caterer or restaurant for the food menu and prices. The chairman also assists with the promotion of the event which includes the sale of tickets.

**CHAIRMEN FOR VARIOUS FUNDRAISERS:**

Band Apparel, Car Magnets, Honey, and other various fundraisers

Section IV

**VICE-PRESIDENT OF EQUIPMENT oversees:**

**UNIFORM COMMITTEE:**

Shall be responsible for fitting, repairing, replacing, storing and issuing band uniforms as requested by the Band Director(s). The committee may sell necessary uniform accessory parts to the students as needed. Supervises and assists in planning for uniform collection, distribution, and transportation.

**EQUIPMENT COMMITTEE:**

Shall oversee the loading & transportation of equipment and assist with equipment set-up and breakdown associated with performances and other band events.

**PROPS:**

Shall plan and create various props for effect, in conjunction with the band directors, for performances

**SMALL PROJECTS CREW:**

Assist with various small projects in the band room, sheds, trailers, or other band property/equipment needs

Section V

**NOMINATING COMMITTEE:** The Nominating Committee will consist of three outgoing senior parents of the Sebastian River High School Band Boosters selected by the Band Director and/or Booster President, who will not be returning the following year. The committee will choose a chair who will discuss all potential nominees with the Band Director(s) and provide the slate of nominees from the committee. The chairman will also ensure that the election is publicized approximately one month in advance of the election. The general membership shall be notified of the committee's nominations approximately one week prior to the election. The chairman is responsible for preparing the ballots, attending the election meeting, presenting the candidates, collecting and counting the ballots and announcing the results at the meeting

Section VI

**BYLAWS COMMITTEE:** Shall be responsible for maintaining the organization's Bylaws and making recommendations to the Executive Board. The By-Law committee shall consist of a minimum of three members of the booster organization, at least one of which serves on the Executive Board, as well as the band directors.



## **ARTICLE IX: FEE WAIVERS**

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

## **ARTICLE X: 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, in conjunction with the Band Bookkeeper, shall sign and have prepared 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 maybe 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 checks, 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 1<sup>st</sup> 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

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

### **ARTICLE XI: 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 the same to the Executive Board for approval. 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 changed 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 XII: 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 XIII: 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 XIII (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 V, Section II of the Bylaws.

## Section V

The Sebastian River High School Band Boosters 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 Board 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 recognizes that all policies of the Indian River County School Board and the Sebastian River High School will govern all student activities.