

# **Constitution of the Houston Middle School Band Boosters**

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ARTICLE I - NAME .....	2
ARTICLE II - OBJECTIVES AND GOALS .....	2
ARTICLE III - MEMBERSHIP .....	3
ARTICLE IV - MEETINGS.....	3
ARTICLE V - OFFICERS .....	3
ARTICLE VI - DUTIES OF THE OFFICERS .....	5
ARTICLE VII - FINANCIAL PROCEDURES .....	7
ARTICLE VIII - RULES OF ORDER .....	8
ARTICLE IX - AMENDMENT PROCEDURES .....	8
ARTICLE X - DISSOLUTION .....	8

## **ARTICLE I - NAME**

The name of this association shall be the Houston Middle School Band Boosters, herein referred to as the Boosters.

## **ARTICLE II - OBJECTIVES AND GOALS**

### ***Section 1***

Said organization is a School Support Organization (SSO) operating within the Germantown Municipal School District. It is organized exclusively for charitable, religious, educational, and scientific purposes, including the making of distributions 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 organization shall inure to the benefit of, or be distributable to its members, trustees, officers, or other private persons, except that the organization shall be authorized and empowered to pay reasonable compensation for services rendered and to make payments and distributions in furtherance of the purposes set forth in the purpose clause hereof. No substantial part of the activities of organization shall be the carrying on of propaganda, or otherwise attempting to influence legislation, and the organization shall not participate in, or intervene in (including the publishing or distribution of statements) any political campaign on behalf of any candidate for public office.

Notwithstanding any other provision of this document, the organization shall not carry on any other activities not permitted to be carried on (a) by an organization exempt from federal income tax under section 501 (c) (3) of the Internal Revenue Code, corresponding section of any future federal tax code, or (b) by an organization, contributions to which are deductible under section 170 (c) (2) of the Internal Revenue Code, or corresponding section of any future federal tax code.

It shall be made up of parents, families, and supporters dedicated to the enhancement of the band and color guard. (Herein, unless otherwise stated, the word "band" in these by-laws includes all students in the band and color guard).

### ***Section 2***

The goals of the Boosters shall be:

1. To provide assistance toward the purchase of programmatic expenses including uniforms, equipment and transportation designated by the band director, with financing approved by the Executive Board.
2. To provide awards and recognition to band members as determined by the band director and/or appropriate committee.
3. To encourage and support participation of all band member families at band-related events and fundraisers and community functions.

### **ARTICLE III - MEMBERSHIP**

Membership shall include any adult interested in supporting the band program.

### **ARTICLE IV - MEETINGS**

#### ***Section 1***

The Executive Board shall meet once each month during the school year. The date and time shall be determined at the beginning of their term of office.

#### ***Section 2***

Special board meetings may be called at the discretion of the President and/or Executive Board. Five days prior notice shall be given when possible.

#### ***Section 3***

General membership meetings of the Boosters may be held in conjunction with band events, such as concerts, camps, or other performances. Notification of these meetings will be made to the parents through the band members and may be verbal or in writing.

#### ***Section 4***

The band director is requested to be present at all board and general meetings.

### **ARTICLE V - OFFICERS**

#### ***Section 1***

The executive Board shall consist of the following:

1. President
2. Vice President
3. Secretary
4. Co -Treasurer
5. Co -Treasurer
6. Band Director
7. Color Guard Representative
8. Social Event Coordinators (2 people)
9. Social Media/Marketing
10. Webmaster
11. Uniform Coordinator
12. All West Coordinator
13. Grizzlies/Band Camp Coordinator

14. Community Events
15. Transportation Coordinator
16. Spring Trip Coordinator

### ***Section 2***

The Executive Board shall have a minimum of 7 members to constitute a quorum. No vote shall be taken without a quorum present.

### ***Section 3***

The Executive Board Nomination Committee members shall be selected as a committee of 3-5 people appointed by the President at the May meeting. The slate of officers shall be presented to the HMS Band Families via email by the end of school year or at the annual Band Banquet, noting that any open or new positions can be filled when qualified volunteers can be named.

### ***Section 4***

The officers' term of office shall begin in June and last for 12 months. No officer, with the exception of the band director, shall serve in the same position for more than 2 consecutive years. This two-year term limit can be waived if deemed necessary and voted on by the Band Boosters Board in the event another qualified volunteer cannot be named.

### ***Section 5***

A vacancy in an office may be filled by Presidential appointment with Executive Board approval. If it is deemed appropriate by the Executive Board, the position may remain vacant.

### ***Section 6***

There shall be no proxy of absentee votes.

### ***Section 7***

In extreme circumstances, a telephone or email vote can be taken by the President or Vice President at the request of the Band Director or President.

### ***Section 8***

An Executive Board member missing 2 successive meetings without valid cause may be dismissed from the board.

### ***Section 9***

All band parents, committee members, and other interested adults are welcome to attend Executive Board meetings, but shall not have a vote in the proceedings.

## ARTICLE VI - DUTIES OF THE OFFICERS

### *Section 1*

**President:** The President shall preside at all regular and special meetings of the Boosters, preserve order, enforce the by-laws, and discharge all duties customary to the office. He/She shall be ex-officio member of all committees, with the exception of the nominating committee and shall be informed of all committee meetings. He/She shall vote only to break ties.

### *Section 2*

**Vice President:** The Vice President shall preside in the absence of the President and assist him/her with the committees as designated by the President. He/She will coordinate an annual fundraising campaign. He/She will serve as the Nominations Chairman and organize a committee to slate the band booster board for the following school year.

### *Section 3*

**Secretary:** The Secretary shall take minutes at both board and general meetings and provide copies for all officers at each board meeting, handle any correspondence deemed necessary for the business of the board, and maintain an accurate copy of the bylaws.

### *Section 4*

**Treasurer:** The Treasurer position will be best served as a two-person Co-Treasurer role to allow for transparency as well as a divided workload. If not possible to find two people, one is allowable. Below is the suggested role division, but the position is flexible and is to be organized by the treasurers at the time of election.

**Co-Treasurer 1 (Payables/Receivables):** The Co-Treasurer 1 shall receive all moneys of the Boosters, shall keep an accurate record of all receipts and expenditures, and develop and monitor a system for the payment of expenses approved by the Executive Board. He/She shall keep an itemized list of all property, funds, and purchases by the Boosters. Co-Treasurer 1 shall keep all moneys in a local bank in an interest-bearing account. A checking account shall be established with both of the Co-Treasurers and President as the only persons allowed to sign checks and withdraw funds from the Booster account. Co-Treasurer 1 shall be responsible for IRS 990 filings at the end of the fiscal year. Co-Treasurer 1 will be responsible for Instructor contracts and payments, including W-9 forms as needed.

**Co-Treasurer 2 (Budget):** The Co-Treasurer 2 will be responsible for presenting a yearly budget to the Band Booster Executive Board in August with estimates for the upcoming school year. The budget will be updated as expenses are incurred and provided at every monthly meeting and will be entered into the minutes. This Band Organization budget will be presented to GMSD parents via the Houston Band Website and at General Band Parent Meetings as needed. He/She will be responsible for completing the GMSD School Support Organization Paperwork as required. Co-

Treasurer 2 will be responsible for bringing requested purchases that need to be approved by the Executive Board to monthly meetings and manage the vote with the President. He/She will be responsible for managing the board expense reimbursements and tracking of them in the budget. He/She will assist Co-Treasurer 1 with collection or payable duties as needed.

A school representative cannot act as a treasurer or bookkeeper for a school support organization, or be a signatory on the checks for a school support organization. A majority of the voting members of any school support organization board should not be composed of school representatives.

### *Section 5*

**Band Director:** The Band Director shall keep the Boosters informed of all band activities and needs and provide a listing of current band members. He/She shall work with the Co-Treasurers to prepare a proposed budget to be presented to the Executive Board at the August meeting.

### *Section 6*

**Color Guard Representative:** The Color Guard Representative reports to the board on all Color Guard activities and expenses, insuring that their needs are considered by the board, and assists in recruiting future Color Guard members.

### *Section 7*

**Uniform Coordinator:** Responsible for the ordering and distributing appropriate attire for band students for performances and events, and maintaining an inventory of backup items for emergencies.

### *Section 8*

**Social Media/Marketing:** Responsible for posting timely and appropriate information on social media sites for accessibility by parents and students and communication of program events and successes with the community.

### *Section 9*

**Webmaster:** Maintain website and create electronic forms as needed.

### *Section 10*

**All West Coordinator:** Coordinate meetings, transportation, accommodation, meals, and communication with parents and students related to annual All West convention.

### *Section 11*

**Grizzlies/Band Camp Coordinator:** Responsible for working with local organizations such as Memphis Grizzlies or Memphis Redbirds to obtain and coordinate performances. Coordinate band camps at HMS in conjunction with local program(s).

***Section 12***

**Social Events (2 people):** Organize social events for band students (e.g., movie night, dessert receptions after concerts, end of year banquet).

***Section 13***

**Community Events:** Organize community or service-oriented events for HMS band students.

***Section 14***

**Transportation Coordinator:** Reserve and manage transportation needs for all events of band and Color Guard.

***Section 15***

**Spring Trip Coordinator:** Work with the Band Director to organize Spring Trip.

***Section 16***

Any board member, with the exception of the Treasurer, may form a committee to assist with the execution of the duties of that office.

***Section 17***

All board members will maintain a notebook of their activities for the year including job description and responsibilities, by-laws, notes, timetables, and suggestions to be passed on to the next board.

**ARTICLE VII - FINANCIAL PROCEDURES**

The organization shall abide by district policies related to School Support Organizations from GMSD. This includes, but is not limited to, complying with requests such as the SSO Annual Checklist.

***Section 1***

To determine which items will be funded by the Boosters, the Director will work together with the Co-Treasurers to present a proposed budget at the August Executive Board Meeting. The items will be voted on by the board on an individual basis prior to the purchase, with each expenditure approved by a 3/4th majority.

***Section 2***

Requests for non-budgeted items shall be presented to the Executive Board at the monthly meetings. These will be discussed and approved by a 3/4th majority.

### ***Section 3***

The Co-Treasurers shall develop and monitor a system for the purchase of all items approved by the board. Only checks bearing the club name shall be used for purchases.

Checks for \$500 or less can be signed by either the President or a Co-Treasurer.

The Band Director, Board, or committee members who need checks for more than \$500 shall give the Treasurer 5 days' notice, to allow time to obtain two signatures.

### ***Section 4***

An annual compilation, along with the filing of a tax return, will be conducted by a person not on the Executive Board. It will be completed each year. Each year the Co-Treasurers will complete the SSO forms requested by the GMSD Finance Department.

### ***Section 5***

Audit. The HMS Band Boosters organization collects and raises money, materials, property or securities while representing itself to be a school support organization and therefore is subject to audit by the office of the comptroller of the treasury. Acts 2007, ch. 326, 10.

## **ARTICLE VIII - RULES OF ORDER**

Robert's Rules of Order shall govern the deliberations of the Booster Association.

## **ARTICLE IX - AMENDMENT PROCEDURES**

These bylaws may be amended at a meeting of the Executive Board by a vote of 3/4 of the members present.

## **ARTICLE X - DISSOLUTION**

Upon the dissolution of the organization, assets shall be distributed for one of more exempt purposes within the meaning of section 501(c)(3) of the Internal Revenue Code, or corresponding section of any future federal tax code, or shall be distributed to the federal government, or to a state or local government, for a public purpose. Any such assets not disposed of shall be disposed of by the Court of Common Pleas of the county in which the principal office of the organization is located, exclusively for such purposes or to such organization or organizations, as said Court shall determine, which are organized and operated exclusively for such purposes.