

Constitution

Marshall County High School Band Boosters

Originally drafted: February 1, 2001

Revised: April 27, 2010

Article I – Name

The name of this organization shall be Marshall County High School Band Boosters of Marshall County, Kentucky. This organization is a non-profit corporation organized under Section 501(c)(3), Revenue And Taxation Code, and as such is exempt from state franchise or income tax under the cited code

Article II – Objective

The objectives of the Marshall County High School Band Boosters are as follows:

To encourage, promote, and maintain an enthusiastic interest in all phases of the Instrumental Music Department of Marshall County High School.

To lend all possible support, both moral and financial, to the Instrument Music programs of MCHS.

To recognize that the Band Director, MCHS school system, and the Marshall County School Board are in charge of the Instrumental Music programs and to cooperate with those in charge to the end that this department be brought and maintained at the highest possible degree of efficiency.

To stimulate and sustain interest in the Instrumental Music Department among parents, students, and all of Marshall County.

To give support to the students of the Instrumental Music Department within the means of the Band Boosters Organization.

To keep ourselves free from the responsibilities of policy making, since this is a function which belongs solely to the Marshall County Board of Education, Marshall County High School, and the MCHS Band Director.

Article III – Membership and Dues

Parents/Guardians of students in the Instrumental Music Department, Colorguard, or anyone interested in the welfare of the department may become a member of the Band Booster organization. Parents/Guardians of pupils in the Instrumental Music Department or Colorguard are considered to be active members.

For convenience dues are included as a part of band camp fees. In cases of financial distress, parents/guardians will be urged to see the Band Director to discuss payment options. Band camp fees will become part of the organizations' fundraising account to help cover general expenses and to record official membership of the organization.

Appropriate language, behavior and attire are expected of all adults and students at all band functions at all times.

Article IV – Officers

The officers of this organization shall be President, Vice-President of Operations, Secretary, Director of Finance, Director of Fundraising, Publicity Director, Food Service Director, and Members-At-Large (to be decided by nominating committee), which constitutes one vote per office. This slate of officers shall compose the Board of Directors. Officers shall be elected from the active membership only (membership defined above).

Article V – Duties of Officers

President: The President shall preside at all meetings of the organization, appoint all committees and appoint special committees as needed. The President shall be member ex-officio of all committees and shall be chairperson unless the President appoints another chairperson. The President shall cast tie-breaker votes, call and set meetings, and work closely with Band Director at all times. The President shall also oversee finance and coordinate the budget with the Director of Finance, sign contracts on behalf of the organization, represent organization at functions, uphold by-laws of Band Boosters, and serve as “past-president” for future Band Booster Boards.

Vice-President of Operations: The Vice-President of Operations shall perform the duties of the President in his/her absence and shall assist the President when called upon. The Vice-President of Operations will work with the Director of Fundraising to assure programs to fund band activities. The Vice-President of Operations will assist Chaperones with problems during trips/outings.

Secretary: The Secretary shall keep accurate records of all the organizations meetings, student/parent database, and handle all needed correspondence. With the approval of the Band Director, the Secretary shall assist in gathering student data information. The Secretary shall be responsible for getting each Band Booster Board member a copy of minutes of meetings and should be kept at least seven (7) years for reference. The Secretary should keep copies until his/her successor is named, then the copies are to be turned in to the President to be put on file. After seven (7) years, minutes may be destroyed.

Director of Finance: The Director of Finance shall receive all money of the organization for deposit and shall keep accurate records of receipts. The Director of Finance shall maintain a Band Booster checking account with a local bank. All funds for the organization shall be deposited in the account and all checks, withdrawals, etc. will be the responsibility of the Director of Finance. Those eligible to sign checks are The President, Vice-President of Operations, Director of Finance, Assistant Director of Finance (if appointed). The Director of Finance shall disperse payments, per contract, to band instructors with approval of President and Band Director. The Director of Finance shall obtain signed contract, Form W-9, and MCHS background check from all parties prior to payment for services rendered, and send Form 1099-MISC to all appropriate parties. (Normally any individual who receives \$600 or more for services from the organization), file Forms 1096 and 1099-MISC with the appropriate Internal Revenue Service Center. The Director of Finance shall provide to all Booster Board members, monthly financial reports detailing the organizations financial status. A yearend financial report shall be submitted at the last meeting.

Director of Fundraising: The Director of Fundraising shall communicate and cooperate with the Vice-President of Operations and Booster Board to search for profitable fundraisers for the booster organization each year. The Director of Fundraising shall cooperate with and assist the Fundraising Committee to organize and plan fundraisers for the band program. The Director of Fundraising will work with the Director of Finance for collection of funds from fundraisers. Fundraiser money shall be turned over to the Director of Finance for deposit in the Band Booster checking account. The Director of Fundraising will work with the Band Director to submit all fundraisers for approval by the MCHS Principal. The Director of Fundraising will oversee activities of all members of Fundraising Committee and assist with securing Booster members as volunteers for all activities.

Publicity Director: The Publicity Director reports on all MCHS Band activities and accomplishments to local newspapers, radio stations, and TV. The Publicity Director is also responsible for newsletters and being a liaison to mchsbands.com webmaster.

Food Service Director: The Food Service Director is responsible for overseeing food and water (or other drinks) for all activities of band. The Food Service Director will secure volunteers and equipment to cook or prepare foods for each function, prepare menus for each event, and oversee services to assure sanitary and proper dispensing. The Food Service Director will work with the Band Director and President to provide nutritious and proper meals for band members and boosters and shall turn over monies collected from band members for meals to Director of Finance for deposit. The Food Service Director will also work with the Director of Fundraising when fundraising activities will involve food and food preparation.

Board Members-At-Large: Board Members-At-Large will be composed of a number of members to be determined by the Nomination Committee each year. Members-At-Large will represent a limited group (band section, fundraising, finance, etc.) and will be assigned by Nomination Committee. Members-At-Large will be

responsible for delivering communication of all activities to their designated group. Members-At-Large will be responsible for overseeing Junior class assembling of yearly scrapbook and for assisting section leaders with ordering of t-shirts, jackets, or other material for their section.

The President shall appoint special committees from time to time as shall be deemed necessary or advisable, or when requested to do so by the Booster Board or general membership.

The Band Director(s) and Principal of MCHS (or their designated representatives) shall be ex-officio (non-voting) members of the Band Boosters and all committees, boards or other subdivisions, serving in an advisory capacity without a vote.

The Board of Directors shall have the authority to act on behalf of the membership on all items which might arise, when in the opinion of the board, it is not expedient to call a special meeting of the membership, nor to hold the action until the next regular meeting of the membership.

Article VI – Meetings

All Board of Directors meetings shall be called and set by the President or Band Director when necessary.

Article VII – Election of Officers

A nominating committee of 3-5 members shall be appointed by the President at least one (1) month preceding the election meeting. The nomination committee will consult with the Band Director two (2) weeks prior to the election meeting concerning the nominees, and report the names for offices to be filled to the Band Director and the current board for discussion and approval before contacting the nominees. Nominations for all offices may be made from the floor at the regular election meeting. Election shall be made by ballot unless there be but one (1) candidate for each office and then by motion from the floor and a voice vote.

Any elected officer absent from four (4) regularly scheduled meetings without having submitted good and valid reasons for such absence, shall be considered to have resigned and will be replaced by a person nominated by the Board of Directors and elected by majority vote at the next called Band Booster meeting.

A Band Booster officer may be removed from office for any reason deemed necessary by a three-fourths majority vote of the other Band Booster officers.

The Band Boosters shall have no salaried officers.

Officers shall be elected in the spring of the year at the May Band Booster meeting. They shall be elected for a term of one (1) year to serve until their successors are installed. A vacancy occurring during the year in an office shall be filled by the Board of Directors. Outgoing officers shall turn over all materials pertaining to their office to the newly elected office holder at the time of the May meeting, in order not to disrupt normal operation of the Band Booster organization.

Article VIII – Organizational Finances

The organization shall coordinate with the Band Director at the beginning of each year to establish fundraisers. All money raised by the Band Booster organization fundraisers shall go to the Band Booster organization for deposit in the Band Booster checking account to be dispensed by the Director of Finance for budgeted expenses. The Band Booster organization shall plan and help implement all fundraisers.

The Band Boosters under direction of the President and Director of Finance will prepare a budget in June of each year. The fiscal year for this budget will run from July through June of the following year. The budget should be based on prior experience, plans for the current year, and requests from the Band Director.

If expenditures for a budget item have reached the budgeted amount and additional expenditures are required, or if expenditures for a non-budgeted item become necessary, approval for these additional expenditures must be made by written request. Any requests should include the amount of the expenditure and a justification for the expenditure. These additional expenditures must be approved by a simple majority vote of the Board of Director members present at that meeting.

Article IX – Band Owned Equipment

The Band Booster organization shall not use any band or school equipment for personal use. All band and/or school equipment shall only be used under the permission of the Band Director.

Article X – Governing Rules

The rules described in Robert's Rules Revised, shall govern the Band Booster organization, unless they are inconsistent with the governing by-laws of the organization.

Article XI – Amendment of By-Laws

The Constitution and by-laws herein may be amended at any Band Booster Board meeting by a two-thirds majority vote of all board members providing the proposed amendment or changes have been submitted in writing.

This document stated as Constitution and by-laws dated April 27, 2010 shall supersede all previous documents that govern the Marshall County Band Booster organization.

Article XII – Dissolving of Band Booster Organization

Should the organization desire to dissolve itself, a meeting for this purpose shall be called by the President with a minimum two-week notice to all voting members. Dissolution shall require approval of two-thirds of the voting members attending the meeting. Upon the dissolution of the organization, the Board of Directors shall, after paying or making provision for the payment of all of the liabilities of the organization, transfer the remaining assets to the Marshall County High School Band.