



**Needham B Broughton
High School
Band Boosters Inc. Bylaws**

Adopted: April 17, 2018

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1 Introduction

1.1 Name

The name of the organization is the Needham B Broughton High School Band Boosters Inc (hereinafter referred to as Boosters). This group is organized solely as a non-profit organization as defined under § 501(c) of the Internal Revenue Code and is registered with the IRS under EIN 57-0829892. The boosters may be identified as the "Broughton Band Boosters" or the "Broughton Instrumental Music Boosters."

1.2 Location

The location and mailing address of the Boosters is 723 St. Marys Street, Raleigh, North Carolina 27605.

1.3 Purpose

The purpose of the Boosters shall be to encourage, promote and support the study of instrumental music and Color Guard of the Needham B. Broughton High School Band, Orchestra, and Guard programs in conjunction with the support of the Director (Instrumental Music Program teacher) and Principal. Support includes the solicitation, collection and disbursement of funds in promotion of the Needham B. Broughton High School Band, Orchestra, and Guard.

2 Membership

2.1 Membership

Parents and/or legal guardians (hereinafter referred to as Parents) of a current year student participating in the Needham B. Broughton High School Band, Orchestra, or Guard programs shall automatically be members of the Boosters. Alumni band/orchestra/guard students and/or their parents (herein known as Alumni) may also join the Boosters.

Membership in the Boosters may not be transferred.

2.2 Voting Rights

A voting member shall be an active member in the Boosters. Active members are those members who are in good standing with student fees for the current year. Alumni shall be deemed active upon remittance of a \$50 annual fee or as determined by the Board of Directors.

Each member shall be entitled to one vote on each matter submitted to a vote of the members. A member must be present to vote.

2.3 Termination of Membership

Members may resign from the Boosters at any time by notifying the current President. In addition, members may be expelled from the Boosters upon motion by the current President and verified by a majority of a quorum of the membership. Before such action is taken the member concerned shall receive written notification at least two weeks prior to, and be granted an opportunity to be heard, at the regular meeting of the Boosters.

2.4 Meetings

2.4.1 Regular Meetings

General Membership meetings shall be held on the second Tuesday of each calendar month at 6:30pm in the Broughton High School Band Room unless otherwise stated by the President or the Director. No meeting will be held in December or May. A quorum for the transaction of any business meeting shall consist of all members present.

2.4.2 Annual Meeting

The annual meeting of the Boosters membership shall take the place at the April general meeting each year. The purpose of this meeting will be to elect new Officers and approve the budget for the following year.

2.4.3 Special Meetings

The President or the Board of Directors (hereinafter referred to as Board) may call special meetings. Upon the written request of thirty members of the Boosters a special meeting shall be called. The purpose of the meeting shall be stated in the call. A quorum shall consist of all members present. Notice must be given at least three (3) days prior to the meeting.

3 Board of Directors

3.1 General Powers

The Board of Directors is responsible for the overall policy and direction of the Boosters. The Board receives no compensation other than reimbursement for reasonable expenses incurred in the performance of their duties. The Board is also responsible for ensuring the Boosters annual budget is created, approved and adhered to. All requests requiring the expenditure of funds outside the approved budget must be submitted to the Board for review and approval prior to the expenditure.

3.2 Membership

The Board of Directors shall consist of five (5) elected Officers, the Director and three (3) Member at Large positions. The term of office of each Officer shall begin as stated in § 4.2 and end on June 30, or upon graduation, of each year, at which time a complete transition of roles occurs. The term of each Member at Large shall begin immediately upon election and end on June 30, or upon graduation.

3.2.1 Members at Large

A Member at Large is a voting Board member from the active general membership and a parent of a current band, orchestra, and/or guard student. The Member at Large represents the general Boosters membership when it comes to matters before the Board – collecting opinions, ideas, issues and concerns and bringing them to the attention of the Board. They may head committees or major fundraising activities. At Large members will be elected by the general membership at the September general meeting by a ballot vote.

3.3 Meetings

A general meeting of the Board shall be held on the first Tuesday of each calendar month at 6:30pm in the Broughton High School Band room unless otherwise stated by the President or Director.

If less than a majority of the Board is present, the President and/or the Director shall determine if the meeting should continue or be cancelled.

3.4 Special Meetings

The President may call special meetings at any time and the purpose of the meeting shall be stated in the call. A quorum shall consist of all members that are present. Notice of the meeting and purpose must be given at least 3 days prior to meeting.

3.5 Board Requirements

- The President is a non-voting Board member except when a vote is needed to break a tie
- A Member at Large shall not be in the same family as any other Board member
- A majority of the Board members shall constitute a quorum for the transaction of business at any meeting of the Board
- Any Board member who cannot or does not attend three (3) Board meetings or does not adequately fulfill their obligations as outlined herein and in § 4.4, shall be subject to removal upon majority vote of the board, excluding the member in question
- Any vacancy occurring in the Board for any reason (including removal), shall be replaced by appointment by a majority vote of the Board to fulfill the remainder of the term

3.6 Contracts

The Board may authorize any Officer(s) or agent(s) of the Boosters to enter into any contract or execute and deliver any instrument in the name of and on behalf of the Boosters, and such authority may be general or may be confined to specific instances.

4 Officers

4.1 Officers

The voting membership shall elect the following organization Officers:

- President
- First Vice President
- Second Vice President
- Secretary
- Treasurer

All candidates for elected offices shall be parents of Band, Orchestra and/or Guard students at the time of service.

4.2 Election of Officers

A recruiting and nominating committee of not less than three (3) members shall be formed in January of each fiscal year. The President shall chair this committee with volunteers from the general membership. It is the duty of this committee to present a slate of candidates for each elected office to the Boosters at the March general meeting.

At the April annual meeting, there will be a ballot vote where the members shall elect, by a majority vote of those members present, the new Officers. Additional nominations from the floor shall be permitted at the time of election as write in candidates, where the recruiting and nominating committee was informed of their intent no later than 48 hours before the election.

Newly elected Officers shall assume duties starting at the annual meeting, co-terming with the current Officer until the end of the fiscal year in order to provide a successful transition.

4.3 Duties of Officers

President

- Preside at all Board, Special and general membership meetings
- Prepare meeting agendas
- Form Nominating Committee
- Be ex-officio member of standing committees except the nominating committee
- Appoint Chairpersons of committees
- Form Auditing Committee as needed
- Oversee preparation of annual projected budget for the next fiscal year to be presented at annual meeting
- Oversee development of sponsorship and grant opportunities for growth and maintenance of all Booster programs

First Vice President

- Responsible for Operations & Logistics committees as defined by § 6.1
- Preside at Board and general membership meetings in the absence of the President
- Perform other duties as indicated to the office of the President in absence of that Officer or disability of the President
- Handle special projects assigned by the President or Director

Second Vice President

- Responsible for Ways and Means committees as defined by § 6.1
- Preside at Board and general membership meetings in the absence of the President and First Vice President
- Perform other duties as indicated to the office of the President in absence of that Officer or disability of the President

Secretary

- Record attendance, minutes, decisions and actions at all BOD and general membership meetings
- Distribute all minutes of all meetings to applicable members
- Enter student data into Boosters tracking system (Charms, etc.)
- Ensure all records are kept as prescribed in these bylaws
- Conduct formal correspondence (thank you notes, sympathy cards, etc.) from the Boosters

Treasurer

- Collect student fees, alumni membership fees, fundraising and other receipts
- Pay bills and other obligations
- Keep accurate financial records of receipts and disbursements
- Provide financial report for BOD and general membership meetings
- Prepare, with input from the Board, projected annual budget for approval at the annual membership meeting
- Report delinquent fees to the President and Director
- Maintain accurate records of student accounts
- Prepare and file required tax forms per IRS and NCDOR regulations

4.4 Officer Requirements

- The Officers will receive no remuneration for their board service
- An Officer shall serve a one-year term
- The same member may not hold the same office for more than three (3) consecutive years
- No family may hold more than (1) office during a year

- Officer positions may be shared by two (2) voting members, while retaining one (1) vote for each elected position
- In the event there is nobody selected to fill an Officer position, the length of service of any current Officer may be extended by one (1) year with the approval of the Board. However, any Officer who has held the same office for three (3) years is not eligible to serve a fourth year.

5 Financial

The fiscal year of the Boosters shall begin on July 1 and end on June 30 of the following year.

5.1 Funding

Funding for the Boosters is the responsibility of the students' families and shall include student fees. Based on the budget projections prepared by the Board, there will be a designated payment schedule for student fees. All families are expected to meet their obligations on time. To help offset these costs the students and/or families can participate in fundraising projects.

Notwithstanding, the criteria listed under Student Accounts, all funds and income received by the organization shall be used solely for the promotion, improvement, instruction, equipment, transportation, aid and support of the Broughton High School Band, Orchestra, and Guard programs.

The Treasurer's accounts shall be examined annually by an auditor or auditing committee appointed by the President, who, satisfied the Treasurer's annual report is correct, shall sign a statement of that fact at the end of the report.

In order to achieve the funding needs of the Boosters, the Board may seek out additional funding sources including, but not limited to, corporate sponsorship and charitable grants.

5.2 Fees

The amount of fees that are to be paid for each student in the upcoming year will be determined by the Board and presented at the annual meeting. These fees will be known as fair share fees. Special assessments and adjustments will be voted on as needed. Fees shall be payable within ten (10) days of the due date. Full payment of fair share fees will be due by March 1 of each school year.

In the case of delinquent fees, all rights and privileges of being in the Broughton High School Band, Orchestra, and/or Guard may be suspended until such time as fees are made current. A final decision on these privileges and rights rests with the Director.

Delinquent fees will carry over from year to year.

The Boosters, under the direction of the Board, can establish scholarship funds in order to help students subsidize their fees. Policies will be written and executed for any scholarships.

5.3 Student Accounts

The Treasurer shall maintain funds, and records, earned by students active in the Band, Orchestra, and/or Guard. These funds will be maintained in a separate budget account from the funds of the organization. Funds in a student's account can only be used for band, orchestra, or guard expenses or sponsored activities.

Funds remaining in the account of a student at the end of the student's graduating year, or funds remaining when a band, orchestra, or guard student leaves the program will be disbursed as follows:

- May be transferred to a sibling band, orchestra, and/or guard student in the Broughton Instrumental Music Program within two (2) years if requested by a parent
- Other than indicated above, all remaining funds revert to the general fund

In case of any dispute concerning the disbursement of a student account, the Board will make the final decision.

5.4 Checks

All checks, drafts or orders shall be signed by the Treasurer and co-signed by the President, First Vice President, or Second Vice President. Checks may not be co-signed by two (2) members of the same family.

The President and the Treasurer have the right to execute electronic check transactions. Electronic check transactions will be reported to all four (4) authorized check signers within 48 hours of the transaction.

5.5 Deposits

All funds of the Boosters shall be deposited in such banks, trust companies, or other depositories as the Board of Directors may select. Deposits shall be made within thirty (30) days of receiving the funds.

5.6 Gifts

The Board of Directors may accept on behalf of the Boosters any contribution, gift, bequest, or devise for any purpose of the Boosters.

5.7 Audit

An independent accounting firm as determined by the Board of Directors shall audit the Treasurer's books and records at the end of the fiscal year. All financial records must be turned over to the auditor by July 31. The results of the audit shall be made available to the members at the first general meeting following the audit.

6 Committees

6.1 Standing Committees

A standing committee Chairperson's duration of service is the fiscal year. In the event of incapacitation or resignation of any committee Chairperson, the President shall appoint a member of the Boosters or another committee member to fill the unexpired term. The President shall appoint a Chairperson for each of the following standing committees:

Operations & Logistics Committees - Overseen and directed by the First Vice President. Provide first point of contact for committee Chairpersons with regard to committee business, coordinator for cross committee activities, such as marching band camp and competition scheduling (hospitality, uniforms, etc.) with Director.

- Equipment - Coordinate marching band pit equipment transportation and setup, and seat covers for all home football games and competitions
- Hospitality - Coordinate food for Marching Band Camp dinner, competitions, hydration for home football games and other various events as determined by committee. Maintain supplies and supply closet.
- Medical - Assist students with basic first aid needs at band, orchestra, and guard events and maintain first aid supplies.
- Uniforms - Responsible for overseeing all aspects of uniforms
- Guard Liason - Responsible for communicating needs and activities of the Guard to the board and general membership
- Props - Works with Marching Band staff to create and build props for Marching Band show
- Volunteer - Recruit and coordinate volunteers for committees and events based on expressed interests

Ways & Means Committees - Overseen and directed by Second Vice President. Investigate and recommend to the Board the manner in which the Boosters may obtain revenue. Provide first point of contact for committee Chairpersons with regard to committee business, coordinator for cross committee activities for cohesion.

- Annual Fruit Sale - Coordinate all aspects of the annual fruit sale(s)
- Fundraising Committees - Committees established based on fundraising needs as required
- Grocery Gift and Reward Cards - Coordinate sale of Grocery gift cards and other store reward card revenue (such as Harris Teeter VIC card linking to BHS Band Boosters)
- Social Media and Publicity - Maintain Broughton Instrumental Music web presence, including website and any social media platforms. Gather media from general membership for publication and historical preservation.
- Spirit Wear - Coordinate all Band, Orchestra, and Guard Program Spirit Wear inventory and sale

6.2 Other Committees

The President shall have the power to appoint any other special or temporary committee that may be required to assist in conducting the business of the Boosters.

7 General

7.1 Removal from Office/Committee Chairperson

The Board can bring forth a motion to remove an Officer, Member at Large or Chairperson for failing to fulfill the duties of their position, or for behaving in an irresponsible, negligent manner that is deemed damaging to the Boosters and the Broughton Instrumental Music Programs. The person being recommended for removal must be contacted and given the opportunity to explain their actions in person to the Board members. After discussing the matter with the person in question, a two-thirds majority vote of the Board is required to move forward with the formal motion for removal.

7.2 Books and Records

The Boosters shall keep complete records of bylaws, accounts and shall also keep minutes of the proceedings of the Boosters membership and Board. Records are to be archived for seven (7) years and financial records for ten (10) years.

7.3 Order of Business

The presiding Officer shall prescribe the order of business at all meetings of the Boosters. All meetings shall have minutes recorded and published within seven (7) days.

The rules contained in the current edition of Robert's Rules of Order Newly Revised may be used to govern meetings of the Boosters on any point not covered in the bylaws or any special rules of order the Boosters may adopt.

7.4 Prohibition Against Private Inurement

No part of the receipts of the Boosters shall inure to the benefit of, or be distributed to its members, Directors, Officers or other private persons, except that the Boosters shall be authorized and empowered to pay reasonable compensation for the services rendered and to make payment and distributions in furtherance of the purposes of the Boosters.

7.5 Limitation on Activities

No substantial part of the activities of the organization shall be the carrying on for propaganda, or otherwise attempting to influence legislation, and the Boosters shall not participate in, or intervene in (including the publishing or distribution of statements) any political campaign on behalf of any candidates for public office.

7.6 Relationship with School Administration

The Boosters may make recommendations for changes in school programs through the appropriate members of the school staff or administration. The Boosters shall not interfere with the day-to-day operation of the school nor the Band, Orchestra, or Guard Programs.

7.7 Amendment Process

The bylaws of the Boosters may be amended by a majority vote, where two thirds (2/3) of the Board is present in a regular Board meeting assembled, or any other duly constituted meeting, provided a printed notice of the proposed amendment or amendments has been given to those present at such meeting at least one week prior to the meeting at which such proposed amendment to the bylaws is to be voted upon.

7.8 Dissolution Process

In the event the Boosters desire to dissolve itself, the President, with a minimum of two (2) weeks notice, shall call a meeting for this purpose. A quorum at this meeting shall be at least fifty percent (50%) of the voting membership. Dissolution shall require approval of two-thirds (2/3) of the voting members attending the meeting.

Upon the dissolution of the Boosters, the Board shall, after paying or making provisions for the payment of the liabilities' of the Boosters, dispose of all of the assets of the Boosters exclusively for the purposes of the Boosters, or to Needham B. Broughton High School Music Department.

8 Revision History

- March 28, 1986 Adopted at special Board meeting
- September 1, 2015 Adopted at general Board meeting
- April 17, 2018 Adopted at the general Parent Meeting