

BY-LAWS OF MAGNOLIA HIGH SCHOOL BAND BOOSTERS
Revised, Draft 8, Dated January 30, 2008

Article I
Name of the Organization

The name of this non-profit organization shall be the Magnolia High School Band Boosters, and may be cited as the MHS Band Boosters.

Article II
Purpose

The purpose of the MHS Band Boosters is to support the Magnolia High School Band and all its related affiliates. Related affiliates include, but are not limited to, the Jazz Band, Color Guard, Percussion Ensemble, and the Marching and Concert Bands.

The functions for which the MHS Band Booster organization was formed include, but are not limited to:

- a. Support the goals and objectives of the band program.
- b. To assist the director, the staff, and the students with administrative and logistical support when requested.
- c. To help promote a positive image of the band program throughout the community.
- d. To provide financial support for the band program.
- e. To foster communication between the band director, band parents, and band students.
- f. To foster a feeling of parental involvement and support between parents and students.

Article III
Membership

1. Any adult willing to subscribe to the purpose and by-laws of the MHS Band Boosters, and not excluded under Section 3 or 4 of this Article, shall be eligible for regular membership. Such a person shall become a regular member upon registration of their student in the Magnolia High School band program and shall continue as a member as long as their student is enrolled in the band program or its related affiliates.
2. The right to vote is limited to members in attendance at band booster meetings. To vote at a special meeting or to vote in an election of officers, one must be a member and have attended at least one of the past six regular meetings.

3. The instructional staff of the Magnolia bands and their affiliates is honorary members of the MHS Band Boosters and are not eligible for voting membership during their tenure as staff. As honorary members they serve only in an advisory role.
4. High school students are not eligible for membership.

Article IV Officers and Duties

1. The elected officers of the MHS Band Boosters shall be the president, vice-presidents, secretary, information coordinator, and treasurer.
2. Only members in good standing may serve as officers. Good standing includes following school district policy and participation in the business of the Band Boosters.
3. Notwithstanding any other provision of the by-laws or power provided by position, officers shall not be involved in decisions directly impacting their student as an individual (e.g. scholarship nominations).
4. The officers shall perform the duties described in these by-laws and other duties as assigned by the President in accordance with the most current edition of Robert's Rules of Order.
 - a. The duties of the President shall include:
 - To preside over all meetings of the MHS Band Boosters;
 - To preside over all meetings of the Executive Board;
 - To appoint the chairpersons of the special committees;
 - To serve as an ex officio member of all committees.
 - b. The duties of the 1st Vice-President shall include:
 - To assume the duties of the President in the President's absence;
 - To serve as volunteer coordinator;
 - To serve as parliamentarian;
 - To verify that all chaperones for any event have a completed criminal background check on file with the district.
 - c. The duties of the 2nd Vice-President shall include:
 - To serve as fundraiser coordinator, responsible for fundraiser initiation and oversight;
 - To serve as the Chairperson of the Ways and Means Committee;
 - Confirm that all fundraisers follow current UIL and MISD policy, current IRS exempt organization guidelines, and have received approval of the executive board;

- Maintain records of fundraisers held, their results, and contact information to be passed along each year to future office-holders.
- d. The duties of the Secretary shall include:
- To record and maintain the minutes of all meetings of the MHS Band Boosters and all executive board meetings;
 - To maintain accurate copies of MHS Band Boosters correspondence;
 - To handle all incoming and outgoing correspondence;
 - To take attendance at all meetings;
 - Once minutes are approved, distribute copies to executive board, MHS, and place a hard copy in the MHS Booster permanent file/binder with the MHS designated person's office.
- e. The duties of the Treasurer shall include:
- To handle all funds and financial transactions of the MHS Band Boosters;
 - To maintain accurate records of all funds and financial transactions;
 - To present a financial report monthly to the membership;
 - To provide copies of all financial statements itemizing all receipts and expenditures to the MHS designated person so that they may make them available for review when requested by the Financial Review/Disclosure Committee, MHS/MISD Administrators, or members of the public.
 - To ensure that all required documents are completed by the appropriate date in conjunction with the end of the Fiscal Year as established by the Executive Board.
- f. The duties of the Information Coordinator shall include:
- To obtain information from the officers and Band Directors that should be included in each newsletter;
 - To include important dates of meetings, games, contests, etc;
 - To include in every newsletter the officer's names, titles, e-mail addresses, and phone numbers for members to be able to contact;
 - To obtain approval from the president for correspondence before distributing;
 - To distribute newsletters and e-mail correspondence as decided by the executive board;
 - To advance public relations with the community and newspapers;
 - To perform or oversee the function of Webmaster.
5. In the event of vacancy or inability of the President to perform some, or all of his/her duties, the 1st Vice-President shall perform these duties and have, in connection therewith, the authority of the President.

6. In the event of a vacancy in any position other than the President, the vacancy shall be filled by majority vote of the Executive Board.

Article V
Executive Board Members and Duties

1. The executive board of the MHS Band Boosters will consist of all elected officers, the MHS Head Band Director, the MISD Superintendent or designee, and the appointed non-voting board members. Only elected officers are permitted to vote on executive board matters. The executive board:
 - Shall meet as needed, as determined by the president or the first vice president in the absence of the president. The MHS/MISD administrators (including the band director) may request a meeting of the executive board.
 - Shall plan and recommend the various activities of the MHS Band Boosters;
 - Shall be empowered to make decisions and take actions between general meetings of the MHS Band Boosters as needed;
 - Shall have fiduciary authority to incur financial and contractual responsibility for the MHS Band Boosters when necessitated by the proximity of general booster meetings;
 - Minutes of the executive committee meetings shall be available to the general membership when requested.
 - If a voting member of the executive board misses two consecutive or three or more total meetings, then the remaining voting board members may choose to remove the member from their office by majority vote. In matters other than attendance, the most current edition of Robert's Rules of Order will apply to any action related to performance of duties.

Article VI
Nominations and Elections

1. The Executive board members shall appoint a nominating committee in February. It shall consist of at least one current Executive Board member and two additional members who report to the Executive Board prior to the regular meeting in April.
2. Final recommendations from the nominating committee will be presented at the general meeting in April. Nominations from the floor will also be accepted at this meeting.
3. Elections of officers will be held at the general meeting in April. The term of

office of the newly elected officers shall commence with the end of the April meeting and shall run until the end of the next year's April meeting. The outgoing officers shall continue to handle the band banquet, which is held at the end of the school year.

Article VII Non-Voting Board Members

Non-voting board members include booster club members appointed by the executive committee to the positions described below, and representatives designated by MHS/MISD administrators. These board members have the right to attend and provide input to all executive board meetings, but do not have the right to vote as part of the executive board. Voting board members can additionally assume the duties of a non-voting board position. These non-voting board members will perform the following duties, along with any other duties assigned by the President:

1. **Band Liaison** -- The Band Liaison shall be appointed by the Head Band Director to work in conjunction with the band directors and boosters on a variety of tasks which include, but are not limited to the following:
 - Assist with special clerical or management duties in the band office;
 - Assist with special projects as determined by the directors, such as searching for and applying for grants, research, and procurement of equipment and/or instruments;
 - Assist with information distribution to parents on day-to-day band business that is not related to booster functions.

2. **Color Guard Liaison** -- the Color Guard Director will appoint The Color Guard Liaison in May for the following school year. The liaison will assist the Color Guard Director with any needed tasks including, but not limited to:
 - Attend both the Band Booster meetings and the executive board meetings. Be prepared to give a brief report on Color Guard news. Also, provide insight and feedback pertaining to issues and needs of the Color Guard;
 - Provide Winter Guard information and dates to the Information Coordinator and Webmaster for publication;
 - Assist the Color Guard Director with any tasks needed throughout the year. These tasks might include: ordering uniforms and/or equipment, preparing Winter Guard handouts or e-mails, recordkeeping, trip planning, and chaperoning.

3. **Hospitality Coordinators** – The Hospitality Coordinators will arrange for food and drinks for the Band and/or Color Guard students, instructional staff, and others, as appropriate, at away games, home games, and other functions

- Arrange for the delivery and distribution of meals, and/or snacks, and water in the stands for all football games;
- Coordinate with the Band Directors on meal times and the Volunteer Coordinator to locate volunteers to assist with the event;
- Follow guidelines set forth in the budget for expenditures and keep track of all receipts of purchases to turn in for reimbursement;
- Keep record of students who have paid to receive meals;
- Arrange for refreshments throughout the year as needed for competitions, trips, concerts, dances, parties, etc...
- Maintain a list of food vendors, including contact names and phone numbers.

4. **Concession Stand/Buyer Manager**

- To purchase food and supplies for the concession stand;
- To train parents and students to work in the concession stand;
- To pick up needed funds for the start of sales at concession stand prior to each game;
- Help prepare food for the concession stand home games and direct volunteers;
- To track actual volunteer sessions worked by person (including student community service hours);
- Make sure concession stand stays within the health standard requirements; during operation by the Band Boosters and that all volunteers and staff adhere to rules and regulations of net, hats and gloves, etc.;
- Clean all equipment and popcorn machine with soap and water; degrease and rewash;
- Prepare an end-of-season inventory of concession stand goods and equipment.

Article VIII Committees

1. Duties of the Standing Committees

The standing committees shall consist of the Membership Committee, the Ways and Means Committee, the Uniform Committee, the Financial Review/Disclosure Committee, and the Scholarship Committee. The chairpersons of these committees should be appointed by the incoming executive board members prior to June 1st for service in the following membership year. The members of the standing committees will perform the duties listed below along with any other duties assigned by the President:

- **Membership Committee:** The purpose of the membership committee is to promote membership among all MHS band parents and participation within the community.
 - The committee will monitor attendance at meetings, including maintaining attendance records (for verification of voting status eligibility), payments of fees, required background checks for volunteers.

- **Ways and Means Committee:** The purpose of this committee is to provide fundraising activities in compliance with the UIL and MISD policy and IRS tax exempt organization rules to support MHS Band Boosters and its related affiliates.
 - All such fundraising activity must receive the pre-approval of the Executive Board and the school principal.

- **Uniform Committee:** The uniform committee is primarily responsible for maintaining inventory and control of uniforms, overseeing checkout process, and other functions necessary to insure the appearance of the MHS Band.

- **Financial Review/Disclosure Committee:** This committee is primarily responsible for having the organization meet its public records disclosure requirements as required to maintain IRC Section 501(c)(3) eligibility (see requirements in IRS exemption letter and IRS Publication 557).

- **Scholarship committee:** This committee should be composed of members other than those with students interested in obtaining scholarship support. The committee will be directed by the Executive Board, in conjunction with information provided by the Ways and Means committee, of the financial resources available for this function. This committee will strive to use this function to further the performance of the MHS band and its individual members. They will strive to award scholarships based on qualification, improvement of the performance of the band, and development of student leadership within the band's members. It is not intended that scholarships be focused either entirely on graduating members or on underclassman in need of further developmental assistance. It is anticipated that underclassman scholarships will be considered during the school year, and that graduating member's scholarships will be awarded in association with the band's closing program.

2. **Special Committees**

The President or Executive Board appoints special committees as needed. The members of these special committees will perform the duties assigned to them by the President. These committees will exist until their task is completed.

Article IX Meetings & Quorums

The regular meeting of this organization shall occur at Magnolia High School on the first Monday of each calendar month during the school year. If the meeting day falls on a recognized holiday, the meeting will occur the following Monday.

Special meetings may be called by the President, Vice President acting as President, or requested by school administrators. The President will give the notice of the date, time,

place, and business to be transacted at the meeting, at least five working days in advance of the meeting. The President will be responsible to see that the membership is notified of the upcoming meeting by e-mail or other means. Only that business for which notice has been given will be transacted.

A quorum is met if at least 50% of the voting members of the Executive Board are in attendance, or in the case of committee business, 50% of any specific committee is in attendance. For a general meeting, the combination of at least 50% of the voting members of the Executive Board and at least one additional eligible voting member constitutes a quorum. For any required participation by the Executive Board either the President or the First Vice President acting as President must be in attendance.

Article X Prohibition of Private Inurement

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 association 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 preceding provisions. No substantial part of the activities of the association shall be the carrying on of propaganda, or otherwise attempting to influence legislation, and the association 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 provisions of these articles, the association shall not carry on any other activities not permitted to be carried on (a) by an association exempt from Federal income tax under Section 501(c)(3) of the Internal Revenue Code of 1986 (or corresponding provision of any future United States Internal Revenue Law) or (b) by an association, contributions to which are deductible under the Section 170(c)(2) of the Internal Revenue Code of 1986 (or corresponding provision of any future United States Internal Revenue Law).

No officers or committee members are entitled to payment for services rendered for the performance of their duties. This does not prohibit the reimbursement of expenses approved by the Executive Board.

Article XI Dissolution of the Organization

Upon dissolution of the organization, the Executive Board shall, after paying or making provision for payment of all of the liabilities of the nonprofit, dispose of all of the assets of the nonprofit exclusively for the support of the organizations organized or operated exclusively for charitable, scientific, educational, or medical research purposes as shall at the time qualify as an exempt organization or organizations under Section 501(c)(3) of the Internal Revenue Code of 1986 (or corresponding provision of any future United

States Internal Revenue Law), as the Executive Board shall determine. Any of such assets not so disposed of shall be disposed of by the appropriate court of the county in which the principal office of the organization is then 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.

**Article XII
Amendments**

These articles may be amended by a two-thirds (2/3) vote of the members present and voting at a regularly scheduled meeting.

The Secretary shall receive proposed amendments at least thirty (30) days prior to the date they will be made available to the membership for a vote and distribute copies to all members of the Executive Board. A copy of any proposed amendments will be made available to the members at least ten (10) days prior to the date they will be presented to the membership for a vote. Superficial edits to proposed amendments discussed and agreed upon during the voting process do not require an additional notification process. The approved by-laws will take effect immediately following the adjournment of that meeting.

These bylaws were accepted by a 2/3-majority vote of the members present at the general meeting on _____ and supercede all previous versions including, but not limited to the 2002 and 2005 bylaws.

Signed: _____

Title: _____

Date: _____

Signed: _____

Title: _____

Date: _____