

# **By-Laws of the McMichael Band Boosters**

## **1. Introduction**

### **1.1. Name**

The name of this organization is Dalton McMichael Band Boosters of Madison, North Carolina. The parents of Dalton McMichael High School Band students do hereby form ourselves into a non-profit organization and to that end do hereby approve the by-laws in manner and form as follows.

### **1.2. Location**

The location of the Dalton McMichael Band Boosters is Dalton McMichael High School. The mailing address of the organization is PO Box, Madison NC 27025. The physical address is 6845 NC 135, Mayodan NC 27027.

### **1.3. Purpose**

To promote and support the Dalton McMichael High School Band programs in conjunction with the Band Director and school administration.

### **1.4. Basic Policies**

1.4.1. The Dalton McMichael Band Boosters ("Boosters") is organized exclusively for charitable and educational purposes within the meaning of Section 501(c)(3) of the Internal Revenue Code of 1986 or corresponding section of any further federal tax code (hereafter "Internal Revenue Code").

1.4.2. The Boosters shall be non-commercial, non-sectarian, and non-partisan.

1.4.3. No part of the net earnings of the Boosters shall inure to the benefit of, or be distributable to its members, directors, officers, or other private persons, except that the Boosters shall be authorized and empowered to pay reasonable compensation for services rendered and to make payments and distributions in agreement with the purpose set forth in Section 1.3 hereof.

1.4.4. Notwithstanding any other provision of these Bylaws, the Boosters shall not carry on any other activities not permitted to be carried on by: An organization exempt from federal income tax under Section 501(c)(3) of the Internal Revenue Code, or an organization, contributions to which are deductible under Section 170(c)(2) of the Internal Revenue Code.

1.4.5. The organization governance will be based on generally accepted rules and procedures for 501c3 to include these bylaws, meeting agenda, committee reports, minutes and treasurer's report. Any items that requires a vote of the membership will be handled with motions.

## **2. Membership**

### **2.1. Membership**

Parents and/or legal guardians (hereinafter referred to as parents) of currently enrolled band students shall automatically be members. One or more parent of a band student shall constitute a family.

### **2.2 Other Members**

Any member of the community shall be invited and encouraged to become members.

### **2.3. Voting**

The voting membership consists of band-boosters. Each family shall be allowed one vote per student on all voting matters.

## **2.3. Meetings**

2.3.1. The annual meeting of the membership shall be held in April of each year. The primary purpose of this meeting is to elect officers.

2.3.2. Regular general meetings of the membership will be held monthly in the Dalton McMichael High School Band Room, or other designated location.

2.3.3. Called meetings shall be called by a majority vote of the Board of Directors.

2.3.4. Notice of the time and place of all meetings shall be by email distribution and posting on the Boosters website.

2.3.5. A quorum for the transaction of business at any meeting shall consist of a majority of members present at that meeting.

## **2.4. Volunteer Obligation**

Volunteers are necessary for every band event (e.g., football games, competitions, parades, social events and fundraising events). Each booster family is expected to provide volunteer support for the band in the capacity that best suits that family's abilities.

## **3. Board of Directors**

### **3.1. General**

3.1.1. The voting members of the Boosters shall elect the following officers to direct the general activities of the organization. They shall be known collectively as the Board of Directors ("Board").

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

3.1.2. The Band Director is a permanent, non-voting member of the Board.

3.1.3. The Board shall have full authority to manage the Boosters organization within the confines of these by-laws and the will of the voting members.

3.1.4. Board meetings shall be scheduled at the discretion of the President, Band Director(s), or a majority of the Board members, and all Board members must be notified of any scheduled meetings.

3.1.5. Four (4) members of the Board shall constitute a quorum for Board meetings.

### **3.2. Election of Officers**

3.2.1. At the February meeting, nominations will be accepted from any member who chooses to volunteer and from the floor. If a member is nominated and not present, the board will contact the member for acceptance. If a position remains open for the March meeting, the board will ask again for volunteers and when necessary ask members to accept a position.

3.2.2. At the general booster meeting in April of each year the members shall elect, by a majority vote of those members present, the new Board of Directors. Each family shall be entitled to cast one vote per band student.

3.2.3. Newly elected officers shall assume their duties at the next regularly scheduled general meeting following the election.

### **3.3. Duties of Officers**

#### **3.3.1. President**

- Preside at all Board and general membership meetings
- Prepare meeting agendas
- Be ex-officio member of committees
- Signs or approves all contracts on behalf of the organization
- Shall keep all contracts on file for the current and the preceding three years
- Perform duties as indicated to the office

#### **3.3.2. First Vice President**

- Act as Chairperson of the Ways and Means Committee
- Preside at meetings of the Board and general membership in the absence of the President
- Perform other duties as indicated to the office of the President in the absence of that officer, or disability of the president
- Handle special projects assigned by the Band Director or President

#### **3.3.3. Second Vice President**

- Act as Chairperson of the Membership Committee
- Preside at meetings in the absence of the President and First Vice President
- Perform other duties as indicated to the office of the President and First Vice President in the absence or disability of either officer.

#### **3.3.4. Third Vice President**

- Act as Chairperson of the Band Festival and Volunteers
- Preside at meetings in the absence of the President, First Vice President and Second Vice President
- Perform other duties as indicated to the office of the President, First Vice President or Second Vice President in the absence or disability of either officer.

#### **3.3.5. Secretary**

- Record attendance, minutes, decisions and actions at all Board and general membership meetings
- Distribute minutes of all meetings as well as all necessary band related information.
- Publicity and Communications
- Inform booster members of the meeting schedule

#### 3.3.6. Treasurer

- Collect fees fund-raising monies and other receipts
- Pay bills and other obligations
- Keep accurate records of receipts and disbursements
- Provide financial report for general membership and Board meetings
- Report delinquent dues/fees to Second Vice President who will notify and discuss with the band director
- Maintain accurate records of student accounts
- Prepare required tax forms
- Shall keep all financial records for this organization for the preceding seven years

### 3.4. Board Eligibility Requirements

3.4.1. The Board of Directors will serve a one-year term.

3.4.2. No family may hold more than one (1) office during a year.

3.4.3 The Board will receive no remuneration for their services, except for reimbursement for legitimate expenses.

3.4.4 Board members must be in good standing with the required fees.

3.4.5. Board positions may be shared by two voting members while retaining one vote for each elected position.

3.4.6. Any Board member who does not adequately fulfill their obligations as outlined herein may be subject to removal upon vote of the board of directors.

### 3.5. Vacancies

3.5.1. Should a vacancy occur in the office of the President prior to the expiration of the term, the First Vice-President shall fill the vacancy for the remainder of the term. At that time, the new President shall serve notice of the election of a new First Vice President.

3.5.2. A vacancy occurring in any office other than President prior to the expiration of the term shall be filled for the remainder of the term by a person elected by a majority vote of the remaining members of the Board, all members of the Board having been notified at least five (5) days in advance.

3.5.3. If an office has no nominations at the time of the annual election and remains unfilled after the election, it shall be considered a vacant office to be filled according to Section 3.5.2 above.

3.5.4. All resignations must be made to the President in writing.

3.5.5. If an officer or appointee either fails to attend three (3) consecutive Board meetings without adequate excuse or fails to perform the duties of his office, the Board may meet and declare the office or position vacant.

## **4. Financial**

### **4.1. Fiscal Year**

The fiscal year shall be July 1 through June 30.

### **4.2. Funding**

4.2.1. Funding for the McMichael High School Band Boosters is the responsibility of the student's families and shall include band student's fee. All families are expected to meet their obligations on time. A separate account must be established separate from the school.

4.2.2. All funds and income of whatsoever kind received by the organization shall be used solely for the promotion, improvement, instruction, equipment, transportation, aid and support of the Dalton McMichael High School Band programs.

4.2.3. All funds of the organization shall be deposited in such bank or trust company as the Board shall designate. Two persons, the Treasurer and one other person designated by the Board, shall have signature privilege to sign checks or vouchers. Any check over the amount of \$1000 must have two signatures.

4.2.4. The Treasurer's accounts shall be examined annually by an auditor or auditing committee of not less than three members, who, satisfied that the treasurer's annual report is correct, shall sign a statement of that fact at the end of the report. The audit should be completed by September 1st for the preceding fiscal year. The treasurer shall be responsible for filing any required tax forms per IRS regulations

### **4.3. Fees**

4.3.1. The amount of fees that are to be paid for each student will be determined and presented at a designated annual meeting. Special assessments and adjustments will be voted on as needed. Fees shall be payable within ten (10) days of the due date.

4.3.2. In the case of delinquent fees, all rights and privileges of being in the McMichael Band may be suspended until such time as fees are made current. Delinquent fees will carry over from year to year. Examples of these rights and privileges are (but not all inclusive): Participating in any competition Receiving any award or scholarship Participating in any trip with the band(s) Voting on any issue involving the band program.

4.3.3. A final decision on these privileges and rights rests with the Band Director.

### **4.4. Scholarships**

4.4.1. Funds permitting, scholarship(s) will be awarded to graduating seniors upon a vote of the Board. The Board vote is to determine the number and amounts for the scholarships.

4.4.2. Only students who have participated with the McMichael Marching Band are eligible to receive this scholarship.

4.4.3. The Student Services office at McMichael High School shall determine to whom each scholarship will be awarded.

## **5. Standing Committees**

## 5.1. Committee and Chairperson Duties and Responsibilities

5.1.1. Band Camp Committee (Board of Directors) Shall organize and coordinate all related activities regarding Band Camp including camp donations, equipment, and chaperones.

5.1.2. Ways and Means Committee (First Vice President) Shall investigate and recommend to the Board the manner in which revenue may be obtained by the organization. Shall oversee all fundraising activities. Each fundraising activity shall constitute a subcommittee of the Ways and Means Committee.

5.1.3. Membership Committee (Second Vice President) Shall be responsible for recruiting new members, actively working to involve members in the work of the booster.

5.1.4 Band Festival Committee (Third Vice President) Shall organize and oversee the subcommittees required to have a successful festival.

## 6. Miscellaneous Provisions

### 6.1. Amendment Process

These by-laws may be amended in whole or in part at a duly organized meeting after a minimum two week notice.

### 6.2. Dissolution

In case of dissolution of this organization, after paying or adequately providing for the debts and obligations of the Boosters, the remaining assets shall become the sole and absolute property of the Dalton McMichael Band Boosters.

Adopted by vote of members in attendance December 4, 2019