

MIDDLETOWN HIGH SCHOOL BAND BOOSTERS, INC.

BYLAWS

ARTICLE I - THE NAME

The name of this Corporation shall be the MIDDLETOWN HIGH SCHOOL BAND BOOSTERS, INC. It shall be a non-profit organization as duly filed.

ARTICLE II - THE PURPOSE

The purposes for which the Corporation is formed are as follows:

SECTION 1 - To promote the interests and activities of the Middletown High School Band Program.

SECTION 2 - To provide both moral and financial support to the Middletown High School Band Program.

- A. All monies shall be obtained from contributions and/or fundraising activities.
- B. No part of the net earnings of the corporation shall inure to the benefit of, or be distributed to, its members, directors, officers, or other private persons.
- C. The directors and officers shall not receive compensation for services rendered.

SECTION 3 - To organize activities in coordination with the Band Director and the school administration in support of Sections 1 and 2 above. The activities to be agreed upon by the majority of the members present at the scheduled meetings.

ARTICLE III - MEMBERSHIP

SECTION 1 - The membership of this Corporation shall not be limited. Anyone interested in the Middletown High School Band Program is eligible for membership.

SECTION 2 - Members who are parents of band members will have voting rights and will be eligible to hold office.

SECTION 3 - All others will be classified as honorary members and will be entitled to voice participation, but cannot vote or hold elective office in this organization.

ARTICLE IV - MEETINGS

SECTION 1 - The organization shall meet monthly in the Middletown High School at a location identified by the President.

SECTION 2 - The annual meeting shall be the regular meeting in May.

SECTION 3 - At the meetings of the organization, those voting members present shall constitute a quorum.

ARTICLE V - ELECTION OF OFFICERS

SECTION 1 - The elected officers are President, Vice President, Treasurer and Secretary. Each position is elected annually.

SECTION 2 - The President shall appoint a Nominating Committee in April, consisting of three (3) voting members to nominate officers for the coming year. Nominations from the floor shall be accepted. Nominees must be parents of band members enrolled in the band in the following year.

SECTION 3 - The officers shall be elected at the May meeting. The officers shall assume their duties at the June meeting.

SECTION 4 - In the event an officer cannot fulfill a term of office, the Board of Directors shall appoint a replacement to complete the year.

ARTICLE VI - DUTIES OF THE OFFICERS

SECTION 1 - The President shall discharge the duties normally associated with that office and serve as an ex-officio member of all committees. The President, with the approval of the Board of Directors, shall appoint the standing committee chairpersons. The President shall be bonded, and the bond shall be paid by the organization.

SECTION 2 - The Vice President shall collect participation fees and forms; perform all designated duties and all duties of the President in his or her absence. The Vice President shall be bonded, and the bond shall be paid by the organization.

SECTION 3 - The Treasurer shall collect all money and pay all authorized bills. All checks will require the signature of the Treasurer and one officer. A Treasurer's report will be read at each general meeting. The records of the Treasurer shall be open at all times for inspection by any member of the organization. At the termination of the term of office or annually, all funds of the organization shall be turned over to the Treasurer's successor and the books shall be reviewed as quickly as practical. The Treasurer shall be bonded, and the bond shall be paid by the organization.

SECTION 4 - The Secretary shall record minutes of each regular meeting and perform such other duties as pertain to that office. The minutes shall be read and approved at the next regular meeting. The Secretary shall be bonded, and the bond shall be paid by the organization.

ARTICLE VII - BOARD OF DIRECTORS

SECTION 1 - The Board of Directors of the Corporation shall consist of the four (4) elected officers.

SECTION 2 - The Board of Directors shall meet as required to conduct the business of the Corporation.

ARTICLE VIII - DUTIES OF THE BOARD OF DIRECTORS SHALL BE :

SECTION 1 - Manage and administer the affairs of this Corporation as voted upon by a majority of the membership.

SECTION 2 - Appoint such committees as it may deem necessary to carry out the purposes of this Corporation.

SECTION 3 - Arrange for financing and negotiate loans on behalf of this Corporation.

ARTICLE IX - EXECUTIVE COMMITTEE

SECTION 1 - The Executive Committee shall consist of the elected officers, the Band Director, the Chairperson of the Ways and Means Committee, the Chairperson of the Publicity Committee and may include standing committee chairpersons

SECTION 2 - The Executive Committee shall meet monthly or as required to conduct the necessary business of the committee.

ARTICLE X - DUTIES OF THE EXECUTIVE COMMITTEE SHALL BE:

SECTION 1 - Formulate an agenda for the regular monthly meetings.

SECTION 2 - Establish a projected annual budget for the Corporation to be presented at the June meeting for approval by the general membership.

SECTION 3 - Transact necessary business in the intervals between regular meetings and such other business as may be referred to the membership.

SECTION 4 - Approve all actions of the Standing Committees.

ARTICLE XI - STANDING COMMITTEES

SECTION 1 - Chaperone Committee is responsible for securing adequate chaperones for all band trips.

SECTION 2 - Publicity Committee is responsible for all pre and post-event activity to include radio, TV, newspaper, posters, and flyers as appropriate.

SECTION 3 - Communication Committee is responsible for maintaining the Band Website and for electronic mail or telephone communications to all parents of band members.

SECTION 4 - Uniform Committee is responsible for outfitting the band and effecting the repair and dry cleaning of all band uniforms.

SECTION 5 - Ways and Means Committee is responsible for planning, coordinating, and executing all fundraisers. Fundraising activities will be approved by the Executive Committee.

ARTICLE XII - FINANCIAL ACTIVITIES

SECTION 1 - Being a non-profit organization, all funds earned shall be used for the purposes outlined in ARTICLE II.

SECTION 2 - All fundraising activities will be approved by the Executive Committee.

SECTION 3 - All proposed disbursements of funds of this organization, other than Band Booster operating expenses, shall first be presented to the Executive Committee for consideration prior to being put to the membership for a vote. The Executive Committee shall determine whether the expenditure is (a) consistent with the purposes of the organization and (b) whether the financial condition of the organization can support the request. The President shall present the findings and recommendations of the Executive Committee at the next regular meeting. The request shall then be submitted for a vote of the membership.

SECTION 4 - The Board of Directors, with the Band Director, shall prepare a proposed balanced budget of income and expenditures for the next year following the May annual meeting. This proposed budget will be presented at the June meeting for the approval of the membership.

ARTICLE XIV - DUES

SECTION 1 - There shall be no dues for membership in this organization.

ARTICLE XV - AMENDMENTS TO THE BY LAWS

SECTION 1 - The President shall appoint a committee to draft any proposed change. A copy of the proposed change shall be circulated among the members and shall be presented and read at a regular monthly meeting. At the next regular meeting, a majority vote of the affirmative voting members present is required for adoption of the change.

ARTICLE XVI - EMERGENCY PROCEDURES

SECTION 1 - In the event of the need for decisions to be made prior to a regular meeting regarding official action of the organization, the agreement of three (3) of the four (4) officers named in ARTICLE V, SECTION 1, shall be sufficient. A report shall be presented and entered into the minutes of the next regular meeting of the membership and recording of the action taken by members shall also be entered in the minutes.

ARTICLE XVII - DISSOLUTION

SECTION 1 - This Corporation has been formed to assist the Middletown High School Band Program. It can only be dissolved by a vote of the membership, after all members have been informed of the intent to dissolve. All remaining funds of the Corporation, after payment of all bills, will be turned over to the Principal of Middletown High School, with no money reverting to the members of the Corporation.

ARTICLE XVIII - TRIP ACCOUNTS

The band will occasionally attend competitions well outside the geographic region of Middletown, Maryland. In these instances travel, lodging and/or other accommodations may be required to allow the band to participate. The Band Director and the Band Booster Executive Committee will announce in advance which expenses will be covered in a particular trip package. To meet the needs of these and other expenses the Band Boosters will regularly schedule fundraising activities. To encourage involvement, the fundraiser chair will allocate a variable percentage of the proceeds to each participant's trip account. For the purpose of this ARTICLE XVIII, participants are defined as members of the band and all other active volunteers supporting the band program.

SECTION 1 - Purpose: To provide monies for participants to attend major band trips, championships and invitationals.

- A. Active involvement in fundraisers may preclude the need for any participant to pay out-of-pocket for a band trip.
- B. Participants may earn account funding by their involvement in other areas of fundraising without going door-to-door. The Fundraiser Chair will announce these activities in advance.
- C. The participant will be required to pay any portion of the trip not covered via the trip account.
- D. Participants may choose to pay for the entire trip out-of-pocket.

SECTION 2 - Procedures for Earning Credit

- A. Sales: Credit earned according to participant's sales volume or hours worked. The Fundraiser Chair and the Executive Committee will determine the formula used in advance.
- B. Non-sale Activities: Credit will be given per hour worked.

SECTION 3 - Chaperones

- A. Regular chaperones, those who chaperone in the fall, have first option to chaperone the trips identified in ARTICLE XVIII, SECTION 1.
- B. Parent chaperones may apply any amount in their child's trip account, which is not used toward that student's cost of the trip to the cost of the parent chaperone's trip.

SECTION 4 - Miscellaneous

- A. No credit may be earned for canvassing or deliveries. Canvassing includes the time required to sell sandwiches or other products but not the time devoted to Tag Day.
- B. To earn credit in trip accounts for sales, the Fundraiser Chair must receive all monies within thirty (30) days of the delivery date. Any sales monies turned in thirty-one (31) days or later from the delivery date of the fundraiser will go into the general account of the Band Boosters.
- C. Sale delivery is the responsibility of the seller.

SECTION 5 - Definition of Credit:

- A. Sale Credits are determined by individual sales volume and/or each hour in participation as discussed in ARTICLE XVIII, SECTION 2A.
- B. Record Keeping: The Fundraiser Chair will provide a sign-up sheet for all/any activities eligible for credit. The Chair will tally each participant's contribution once value of credit unit has been determined. NOTE: The band member or parent is responsible for signing in/out. Participant's

incomplete logs (logs which have only a sign-in or sign-out but not both) will receive no credit.

SECTION 6 - Credit Unit Value:

- A. The actual value of a credit unit is determined after each fundraiser based on the profit.
 - 1. Percentage (%) of profit allocated to the student account will vary from fundraiser to fundraiser.
 - 2. Profit will be divided arbitrarily between sale efforts and other areas of participation.

SECTION 7 - Posting:

- A. Trip accounts will be posted online.

SECTION 8 - Account Fund Transfers And Forfeitures:

- A. A student's trip account remains with him or her as long as the student maintains band membership. A student who drops Band forfeits any balance in his/her student account. These monies will go into the General Account. Should the student re-enroll, the student's account begins at zero (0).
- B. Outgoing senior accounts will be dispersed as follows:
 - 1. If the senior has one or more undergraduate sibling(s) in the band, his/her account balance will be transferred to the sibling(s) account, including incoming freshmen.
 - 2. If no siblings are in the band, the senior may choose:
 - a. To transfer his/her balance to an active freshman, sophomore or junior band member or members, or
 - b. To designate funds to go to the upcoming freshman class, to be dispersed equally, or
 - c. To designate funds to go to an existing restricted fund.
 - d. If no designation is made by a graduating senior by the date of the graduation ceremony, his/her account will revert to the general fund.
- C. At no time may a student receive an actual cash distribution from his/her account balance.
- D. Other participant accounts will remain with the participant for as long as he or she remains active in the program. An inactive participant account will vest in the participant's child(ren)'s account. If no child is present in the program the accounts reverts to the general fund.
- E. In anticipation of an upcoming trip participant account balances can be freely transferred to other active family participant accounts.
- F. Participant accounts cannot be used to fund inactive travelers. Exclusion will apply in the case the active participant will not be in attendance. He or she may designate an inactive adult family member.

SECTION 9 - Donations:

- A. Donations will be accepted for an individual's account. A standard form shall accompany the donation indicating which student's account is to receive the donation.
- B. Donations received by a student participating in a fundraiser will become part of the income for that fundraiser.

These bylaws were officially approved during the Band Boosters Meeting held on Monday, October 8, 2007.