

By-Laws

Scoggins Middle School Band Boosters Executive Board

ARTICLE I: NAME

The name of this organization shall be the Scoggins Middle School Band Boosters Executive Board, known herein and elsewhere as SMSBB.

ARTICLE II: OBJECTIVES AND PURPOSE

SECTION 1. The primary objectives of the SMSBB shall be as follows:

- a. Encourage the growth and development of a high-quality band program that complements and extends the educational options for young people.
- b. Actively develop and implement creative avenues that encourage young people to excel through the band program both collectively, and individually.
- c. Provide financial support for unique projects which promote the band program and fall within University Interscholastic League (U.I.L.), Texas Music Educator's Association (T.M.E.A.), and FISD policies and guidelines, but which are outside the domain and purpose of school district revenue.
- d. Maintain clear communications and cooperation among all band members in Scoggins Middle School, their parents, the band directors, Scoggins administration, and the school district administration to further all SMSBB objectives.
- e. Disseminate information of programs and projects that will attract and involve a large, active group of parents of band students. Cooperate with Frisco Independent School District (FISD) administration, school officials, and band directors in the pursuit of these objectives.

SECTION 2. SMS Band Boosters is a Section 501(c)(3) designated organization and as such:

- a. Said Booster Organization is organized exclusively for charitable and educational purposes, including, for such purposes, the making of distributions to organizations that qualify as exempt under Section 501(c)(3) of the Internal Revenue Code, or corresponding section of any future federal tax code.
- b. No part of the net earnings of the Booster Organization shall inure to the benefit of, or be distributed to its members, trustees, officers, or other private persons, except that the Booster Organization 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 Article II, hereof. (A small yearly special award to selected band directors is permitted provided no U.I.L. regulation is violated.)

- c. No substantial part of the activities of the Booster Organization shall involve carrying on of propaganda, or otherwise attempting to influence legislation, and the Booster Organization shall not participate in, or intervene in (including the publishing or distribution of statements) any political campaign on behalf of or in opposition to any candidate for public office.
- d. Notwithstanding any other provision of these articles, the Organization shall not carry on any other activities not permitted to be carried on: (a) by an organization exempt from federal income tax under 501(c)(3) of the Internal Revenue Code, or corresponding Section of any future federal tax code; or (b) by an organization, contributions to which are deductible under Section 170(c)(2) of the Internal Revenue Code, or corresponding Section of any future federal tax code.

ARTICLE III: BASIC POLICIES

SECTION 1. The organization shall be non-commercial, non-sectarian, and non-partisan.

SECTION 2. The name of the organization or the names of any members in their official capacities shall not be used to endorse or promote a commercial concern, or in connection with any partisan interest, or for any purpose not appropriately related to promotion of the objectives of this organization.

SECTION 3. The organization shall not, directly or indirectly, participate or intervene (including the publishing or distribution of statements) in any political campaign on behalf of, or in opposition to, any candidate for public office. However, information regarding issues that may affect Band Boosters or the band program may be disseminated and / or discussed at meetings.

SECTION 4. No member of this organization may divert any part of its income or assets to any member, donor, officer, employee, individual, corporation or organization, except in accordance with the approved annual budget.

SECTION 5. Conflict of Interest Policy. No member of the SMSBB Executive Board or other Booster Members shall derive any personal profit or gain, directly or indirectly, by reason of his or her participation in the SMSBB. Each individual shall disclose to the SMSBB any personal interest that he or she may have in any matter pending before the organization and shall refrain from participation in any decision on such matter. Any member of the SMSBB Executive Board shall refrain from obtaining any list of SMSBB members for personal or private solicitation purposes at any time during the term of their affiliation.

ARTICLE IV: MEMBERS

SECTION 1. Membership in this organization shall consist of all parents or guardians of band students enrolled in the band program of Scoggins Middle School. Membership shall be made without regard to race, color, creed, or national origin.

ARTICLE V: OFFICERS AND THEIR ELECTION

SECTION 1. Each officer shall be a voting member of SMSBB, and an officer must have a band student who is currently enrolled at Scoggins Middle School.

SECTION 2. Officers and their election

- a. The officers of this organization shall be President, Vice President of Volunteer Coordination, Vice President of Fundraising, Vice President of Communications plus a Secretary and a Treasurer. All officer positions, except President, can be filled by two or more parents or guardians. There will be only one vote per officer position. These officers shall perform duties prescribed by these Bylaws.
- b. Officers shall be elected for a term of one School Year by ballot at the Election Meeting. However, if there is but one nominee for an office, election for that office may be by voice vote.
- c. Officers shall assume their official duties following the close of the School Year and shall serve a term of one year or until their successors are elected.
- d. No more than one member of a family may serve as an officer at the same time, unless parents are serving as co-chairs in the same office which limits the family's vote to one.
- e. No officer shall serve in the same office for more than three consecutive terms. One who has served more than one-half of a term shall be credited with having served a full year's term.

SECTION 3. Vacancies

- a. In case of a vacancy in the office of the President, the First Vice-President of Volunteer Coordination shall ascend to the Presidency.
- b. A vacancy occurring in any other elected office shall be filled for the unexpired term by a person elected by a majority vote of the Executive Board, notice of such election having been given.

SECTION 4. Reason to Remove. By a two-thirds vote of the Executive Board, an officer or chairman may be removed from office for the following: 1) failure to perform duties; 2) misconduct (either word or deed) that is damaging to the stated purposes of the SMSBB or the band program; or 3) missing three (3) consecutive board meetings.

ARTICLE VI: DUTIES OF OFFICERS

SECTION 1. The President shall:

- a. coordinate the work of the officers and committees of SMSBB in order that the objectives may be promoted;
- b. confirm that a quorum is present before conducting any business at any meeting of the organization;
- c. preside at all meetings of the organization;
- d. appoint chairs of special committees, subject to the approval of the Executive Board;
- e. participate as a member of the Budget Committee formed at the end of each school year;
- f. review all new proposed projects with the band directors;
- g. be authorized to sign on all bank accounts (as one of two authorized signatures required on all checks exceeding \$500);
- h. call a meeting of the officers for the purposes of selecting standing committee chairmen;
- i. sit as an ex-officio member on all committees except the Nominating Committee; and
- j. perform such other duties as may be prescribed in these Bylaws or assigned by the organization.
- k. Select an officer as designee to receive bank statements either through the mail at their home address or electronically.
- l. review a monthly bank statement with the Treasurer.
- m. assist Treasurer with state and federal tax forms.
- n. Schedule an annual audit of records
- o. Resolve problems in the membership

SECTION 2. The Vice President of Volunteer Coordination shall:

- a. preside in the absence of the President;
- b. act as aide to the President;
- c. oversee all committees and events that need volunteer coordination that do not have the primary purpose of fundraising;
- d. oversee all committees and events that need volunteer coordination for the purpose of moving equipment and transporting equipment;
- e. appoint and oversee the Nominating Committee; and
- f. perform other duties as may be prescribed in these Bylaws or assigned by the President or organization
- g. Act as liaison with Dr. Pepper/Snapple FISH contract contact

SECTION 3. The Vice President of Fundraising shall:

- a. act as chairman of the Fundraising Committee;

- b. *and participate as a member of the Budget Committee formed at the end of each school year;*
- c. *oversee all committees and events with the primary purpose of fundraising; including*
 - a. Spiritwear sales events displaying, transporting and storage
 - b. Maintenance of inventory and recommendations to committee on reordering
 - c. Researching and presenting new spiritwear ideas and order follow through upon board approval; and
- d. perform other duties as may be prescribed in these Bylaws or assigned by the President or organization.

SECTION 4. The Vice President of Communications shall:

- a. Send the monthly newsletter.
- b. Send the monthly reminders for items such as Pizza Nights, parent meetings, and other events.

SECTION 5. The Secretary shall:

- a. keep an accurate record of minutes of all General Membership and Executive Board meetings of this organization;
- b. ensure meeting minutes are distributed to the Executive Board in a timely manner and posted on the band website;
- c. *have a current copy of the Bylaws*
- d. post meeting notices and perform other public relations functions as directed by the President or organization; and
- e. perform such other duties as may be prescribed in these Bylaws or assigned by the organization.

SECTION 6. The Treasurer shall:

- a. have custody of all the funds of the organization;
- b. keep books of account and records including bank statements, receipts, budgets, invoices, paid receipts and canceled checks for five years;
- c. make disbursements as authorized by the President, Executive Board or organization in accordance with the budget adopted by the organization;
- d. be authorized to sign and issue checks on all bank accounts for amounts of \$500 or less. Any checks exceeding \$500 will require the signature of the Treasurer and one other member of the Scoggins Middle School Band Booster Executive Board.
- e. present a financial statement at all meetings and at other times when requested;

- f. submit books for review when requested;
- g. participate as a member of the Budget Committee formed at the end of each School Year;
- h. complete any applicable State and Federal tax forms with the cooperation of the President; and
- i. perform such other duties as may be prescribed in the Bylaws or assigned by the organization.
- j. Provide all needed tax information to the board-approved paid Certified Public Accountant for submission to federal and state tax agencies
 - a. Forms to include state sales tax and IRS form 990, 990T, 990N or 990ez
 - b. 1099 forms provided to instructors, clinicians, etc who are paid more than \$600 in a calendar year.

SECTION 7. At the close of their terms, all officers shall deliver to their successors or the President all official materials within fifteen (15) days following the meeting at which their successors assume their duties.

ARTICLE VII: GENERAL MEMBERSHIP MEETINGS

SECTION 1. The Executive Board shall work with directors to coordinate a minimum of four regular meetings of SMSBB which shall be held during the School Year. Meetings may be held as part of a scheduled concert. Other meetings shall be held as required in compliance with the provisions of Article VII, Section 2. General meeting dates are to be published in the monthly newsletter.

SECTION 2. A quorum to conduct business at a meeting shall be 5 members of the organization.

SECTION 3. The first General Membership meeting of SMSBB of the School Year shall be known as the SMSBB Annual Meeting, and shall be for the purpose of introducing the newly elected officers, planning the year's activities, and disseminating information for the year.

SECTION 4. Elections will be held within the last three SMSBB General Membership meetings of the School Year.

SECTION 5. Special meetings may be called by the President or by the Executive Board, and shall be called upon written request of ten (10) members of the organization. The purpose of the meeting shall be stated in the call and shall be submitted in writing to both the Head Band Director and the SMSBB President. Every effort should be made to ensure at least three (3) days notice to be given.

ARTICLE VIII: THE EXECUTIVE BOARD

SECTION 1. The Executive Board shall consist of the officers of this organization, the band directors of Scoggins Middle School, and one member appointed by the President, if necessary, to provide an uneven number of board members.

SECTION 2. The band directors are ex-officio members of the Executive Board and shall give guidance to the organization so that no school policy, U.I.L., or T.M.E.A. guidelines are violated. The band directors will also guide the board in making decisions that align with the philosophy of the band program.

SECTION 3. Duties of the Executive Board shall be to:

- a. transact all necessary business in the intervals between the General Membership meetings and conduct other such business as may be referred to it by the membership;
- b. set the time and place for all meetings for the organization;
- c. create standing and special committees;
- d. approve the plans of work of all officers and committee chairs;
- e. approve the budget for the School Year that is to be submitted to the General Membership for adoption;
- f. report on all SMSBB activities at the General Membership meetings;
- g. fill vacancies of officers and chairs in accordance with Article V, Section 4 of these Bylaws; and
- h. subject itself to the orders of the membership so that none of its acts shall conflict with the action taken by the membership.

SECTION 4. Meetings.

- a. Regular meetings of the Executive Board shall be held each month during the School Year. The dates and times of these meetings shall be established by the Executive Board at its first meeting of the School Year.
- b. Special meetings of the board may be called by the President or by a majority of the members of the Board, five (5) days' notice being given. All Executive Board members must be notified of any such Called Meetings.
- c. Committee Chairs and Event Coordinators are invited to the Executive Board meetings as needed.
- d. A quorum shall be a majority of the voting members of the Executive Board.
- e. There shall be a combined meeting of the outgoing Executive Board and newly elected and appointed Executive Board.

ARTICLE IX: COMMITTEES AND EVENT COORDINATORS

SECTION 1. Only voting members of SMSBB shall be eligible to serve in any elective or appointive position.

SECTION 2. The Executive Board may create such committees as it may deem necessary to promote the objectives and carry on the work of the organization. Between meetings, the President shall have the power to appoint special committees subject to the approval of the Executive Board.

SECTION 3. The newly elected President shall call a meeting of the officers for the purpose of selecting and / or approving committee chairs and event coordinators.

SECTION 4. Chairpersons or event coordinators shall present a plan of work to the Executive Board for approval or follow previously approved plan. No committee work shall be undertaken without the consent of the Executive Board.

SECTION 5. The President shall serve as ex-officio member of all committees, except the organization's Nominating Committee.

SECTION 6. The band directors may serve as ex-officio members of all committees.

ARTICLE X: FISCAL YEAR

SECTION 1. The Fiscal Year of this association shall begin July 1 and end June 30.

SECTION 2. An audit of the treasurer's accounts is for the protection of the treasurer. It is the only means of assuring everyone that the accounts are accurate, and it relieves the treasurer of responsibility except in the case of fraud.

ARTICLE XI: PARLIAMENTARY AUTHORITIES

The rules contained in the current edition of *Roberts's Rules of Order Newly Revised* shall govern the organization in all cases to which they are applicable, and in which they are not inconsistent with these Bylaws and any special rules of order the organization may adopt.

ARTICLE XII: AMENDMENTS OF BYLAWS

These Bylaws may be amended by first presenting the proposed amendment(s) to the Executive Board. The proposed amendment(s) must be approved by a two-thirds majority of the Executive Board before it can be made available upon request and placed on the school's website. Having received the approval of the Executive Board, a copy of the proposed amendment(s) may then be introduced at a General Membership meeting or distributed to the voting membership thirty (30) days prior to the meeting at which the proposed amendment(s)

is to be voted upon. The Bylaws may be amended, provided a quorum is present, by a two-thirds vote of voting members present.

ARTICLE XIII: DISSOLUTION

SECTION 1. Upon dissolution, all the assets of the SMSBB organization or its organization members shall be liquidated and funds held and expended by the Frisco Independent School District in accordance with the purpose of the organization until all such funds shall be entirely expended.

SECTION 2. If the Frisco Independent School District is not in existence or is unwilling to accept the assets of the organization, upon dissolution of the organization, SMSBB assets shall be distributed for one or more exempt purposes within the meaning of Section 501(c)(3) of the Internal Revenue Code, or corresponding section of any future federal tax code, or shall be distributed to the federal government, or to a state or local government, for a public purpose. Any such assets not so disposed of shall be disposed of by the State District 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.

SMSBB Optional Positions/Duties

The following positions are optional, and duties described herein may be performed by board members or officers.

Event Coordinator Positions: All Coordinators will be provided with detailed information regarding specific needs for each event, as well as contact information for volunteers willing to assist with these events. All of these positions may be co-chaired.

Back to School Event Coordinator: Responsible for working with band directors to plan a back to school event for the 7th and 8th grade band members. The event takes place prior to the start of school.

Financial Aid Coordinator: Responsible for ANONYMOUS evaluation of student applications for financial assistance. Works with the Band Director to select recipients of financial aid. Financial aid will be awarded, as the budget allows, for Private Lesson tuition and Band Fees.

Shirt Fitting: Responsible for arranging volunteers to assist with Band shirt fittings at the beginning of the school year.

Concessions Coordinator: Oversees all concessions operations during SMS sports seasons. Responsible for arranging volunteers to organize and run concessions. Keeps documentation of

expenditures, including receipts and invoices. Submits documentation and profits to the Treasurer. **Coordinator MUST attend a food handler's class provided by FISSD.**

Fall Fundraiser Coordinator: Responsible for arranging a committee to assist in all aspects of the Band's primary fundraiser. This event takes place in the fall. Reports to the Vice President of Fundraising.

Football Game Coordinator: Works with Band Director to arrange chaperones, food, and instrument transportation to approximately 1 to 2 SMS football games at which the 7th and 8th grade band(s) will perform.

Fall Dance Coordinator: Responsible for forming a committee and organizing ALL aspects of the SMS Back to School Dance in the fall: ticket sales, decorations, music, food and trinket sales, picture sales, etc. Reports to the Vice-President of Fundraising.

Fall Band Party Coordinator: Responsible for forming a committee to organize the Fall Social Event for ALL Band Members. This event takes place mid to late October. Reports to the President.

Jazz Coordinator: Responsible for arranging chaperones and instrument transportation for off campus Jazz Band events. Reports to the Vice-President for Volunteer Coordination.

Hospitality Coordinator: Responsible for arranging food and beverages for various events as required. Events include, but are not limited to, clinics, rehearsals, football games, and pizza parties. Coordinator will be contacted when food is required at an event. Reports to the President.

All-Region Coordinator: Responsible for arranging chaperones, instrument transportation (when necessary), and food relating to all events in association with All-Region (7th and 8th grade bands). This would include off campus auditions as well as clinics and concert events for qualified students. These events take place late November - early January. Reports to the Vice-President for Volunteer Coordination.

UIL Competition Coordinator: Responsible for arranging instrument transportation and chaperones for off-campus UIL competition in the spring. Also responsible for arranging food and beverages for the pre- UIL clinics for selected 7th and 8th grade bands. Reports to the Vice-President for Volunteer Coordination.

Beginning Band Contest Coordinator: Responsible for arranging chaperones and instrument transportation for off-campus competition for Beginning Band students. Competition takes place in the late spring. Coordinator would also arrange food and beverages for the rehearsals if required. Reports to the Vice-President for Volunteer Coordination.

Elementary Performance Coordinator: Works with Band director to arrange instrument transportation and chaperones to Elementary campuses for various concerts during the year. This will involve students from 7th and 8th grade bands in December, and select Beginning Band students in the spring.

5th grade Instrument Drive Coordinator: Responsible for arranging parent volunteers and food associated with this event that allows 5th grade students and their parents to try a variety of instruments in preparation for Beginning Band the following year. This event occurs in the spring. Reports to the Vice- President for Volunteer Coordination.

Signs / Decals: Will work with Band Director to organize an efficient method to receive orders and distribute merchandise of signs and decals with the Scoggins Band logo.

Transportation Coordinator: Responsible for making truck rental arrangements for events away from Scoggins Middle School where equipment must be transported and school truck is not available. Reports to the First Vice-President of Volunteer Coordination.