

# **By-Laws**

of

## **The Raymore-Peculiar Band Boosters Club, Inc.**

As amended and approved November 4, 2014

### **Article I. Title:**

Constitution of the Raymore-Peculiar Band Boosters Club, Inc.

### **Article II. Name of Organization:**

The name of this organization shall be “Raymore-Peculiar Band Boosters Club, Inc.” – herein referred to as “Band Boosters”, a 501C(3) non-profit organization, a chartered corporation in the State of Missouri.

### **Article III. Objectives**

Section 1. The objectives of this corporation shall be:

- a) To assist the Raymore-Peculiar Band program and the Band Directors
- b) To promote an enthusiastic commitment for all facets of the Band Program, among: students, parents/guardians, School Board, and the communities of Raymore, Peculiar, and surrounding areas.
- c) To support activities of interest for instrumental music education within the Raymore-Peculiar School District.
- d) To raise funds to finance or partially finance the activities related to music education, to supply logistical support for the program, and provide other items and supplies for the program not furnished by the Raymore-Peculiar School District.

### **Article IV. Supporters**

Section 1.

All parents and guardians of students currently in the Raymore-Peculiar School District Band Program are eligible to be supporters. As stated in the Articles of Incorporation: The corporation shall have no members as such (although it may refer to its supporters or contributors as “members”).

### **Article V. The Board**

Section 1.

The Board of the Raymore-Peculiar Band Boosters Club, Inc. shall consist of five (5) Board Members.

Section 2.

The Officers of the Board shall be comprised of a President, a Vice President, a Secretary, a Treasurer, and the current Director of Bands. Officers shall be elected by the current supporters at the May or general members meeting.

Section 3.

The Board shall have the authority to transact any necessary business between regular meetings, by a majority vote of the entire board (3 members).

Section 4.

Terms for newly elected Board Members shall be for one (1) year. The exception to this is the Director of Bands position.

Section 5.

Board Member vacancies occurring during the year shall be filled by normal election procedure with the Nominating Committee being responsible for nomination.

Section 6.

The Board shall meet monthly during the fiscal year. The Board will determine these dates for the upcoming year at the annual meeting held in July.

Section 7.

Terms for the Board shall be July through the June Meeting. At the June meeting, turnover shall occur between the outgoing and any newly elected Board Member for each position.

Section 8.

No officer shall serve more than two consecutive terms in the same position. In the event no eligible candidate is put forward other than the incumbent, this term limit requirement shall be waived.

**Article VI. Committees**

Section 1. Standing committees

**Fundraising**

The Fundraising committee shall consist of the chairperson and any additional members needed. All fundraising projects taken up on behalf of the organization shall be presented in advance to the Board for approval prior to initiating the activity.

**Hospitality**

The Hospitality committee shall consist of the chairperson and any additional members needed. This committee shall be responsible for planning and executing all food related activities for the club, with the exception of any food related fundraising activities. All Hospitality Committee projects taken up on behalf of the

organization shall be planned and presented in advance to the Board for approval prior to initiating the activity.

### **Uniforms**

The Uniform committee shall consist of the chairperson and any additional members needed. This committee shall be responsible for the assignment of uniforms to band members and to advise the Director of Bands when replacements or additions are needed. The Chair shall also be responsible for helping the band student to understand the care of the uniforms. Additionally, this committee will assist with the periodic maintenance and cleaning of the uniforms. All Uniform Committee projects taken up on behalf of the organization shall be planned and presented in advance to the Board for approval prior to initiating the activity.

### **Communications**

The Communications committee shall consist of the chairperson and any additional members needed. This committee shall be responsible for the publication of the Band Booster Newsletter, all media relations, maintenance of the global email distribution list, and the distribution of any written correspondence via email as requested (The only exception to this is the communication of confidential information between the Treasurer and students, parents/guardians). All Communication Committee projects taken up on behalf of the organization shall be planned and presented in advance to the Board for approval prior to initiating the activity.

### **Trip**

The Trip committee is a specialized committee that is formed for the express purpose of the periodic longer duration band trips – and shall only exist for the period needed for planning and execution of that trip. This committee shall consist of a chairperson and any additional members needed. This committee shall be responsible for assisting the Director of Bands with the planning, selection of chaperones, and all other duties required.

### Section 2.

Selection and Removal of Chairs for standing Committees  
Committee Chairpersons shall be appointed or removed by the Board via a majority vote.

### Section 3.

Co-Chairing of committees will be allowed and encouraged in order to assist with the duties of the office. Committee Chairpersons shall engage individuals from the General Membership for Co-Chairing and the training of their replacement prior to leaving the committee.

Section 4.

Each committee chair shall submit budgetary needs to the Treasurer before the July meeting for inclusion in the annual budget. Committees are authorized to expend funds up to \$500.00 of its approved budget without subsequent approval by the board. All reimbursement requests against this committee's budget must conform to the reimbursement process outlined in Article VIII.

Section 5.

Each committee chair shall deliver to their successors all official materials as soon as practical and without delay. All committee chairs shall create and maintain a record of activities, plans, and expenses for such turnover. This transfer of information to the next chair is intended to provide knowledge of what is expected and the requirements of the position.

**Article VII – Powers and Duties of Board Members**

Section 1.

The President shall preside at all meetings of the organization, as an ex-officio member of all committees, and shall coordinate the work of the officers and committees of the organization in order that its objectives may be accomplished. The President shall perform such other duties as may be prescribed in these bylaws or assigned by the Board.

Section 2.

The Vice President shall act as an aid to the President and shall perform the duties of the President in the absence or inability of that officer to act. The Vice President shall perform such other duties as may be prescribed in these bylaws or assigned by the Board.

Section 3.

The Secretary shall record the minutes of all meeting of the organization, shall be responsible for all official correspondence, and shall keep a current and correct list of the names and addresses of all members of the Board. The Secretary shall perform such other duties as may be prescribed in these bylaws or assigned by the Board.

Section 4.

The Treasurer shall be the custodian of all funds of the organization and shall keep a full and accurate account of receipts and expenditures. The Treasurer shall present a financial statement at all meetings of the organization, at other times when requested by

the Board, and shall make a full report at the annual meeting. The Treasurer shall receive all monies payable into the corporation treasury and place all such funds in a depository to be approved by the Board within five (5) business days of the receipt of such funds. The Treasurer shall provide for an annual review or audit of the financial records by a CPA firm or an internal audit committee after the close of each fiscal year and shall be presented to the Board before August 15<sup>th</sup>. The Board will appoint the internal audit committee and such committee will not include the prior Treasurer or the incoming Treasurer. The term "Committee" as used in this section shall mean a committee of at least two or more band supporters (as defined in these Bylaws). The Treasurer will ensure that all applicable tax returns for the Band Boosters are prepared and filed in accordance with federal, state and local statutes by an external, licensed CPA. The chosen CPA must be approved by a simple majority of the Board prior to the Treasurer engaging their services.

Section 5.

The Director of Bands shall be responsible for providing the guidance required to ensure that proper decisions are made to support the overall Band program. The Director of Bands will also ensure that adherence to School Policies is maintained.

Section 6.

Any elected officer absent from three (3) regularly scheduled meetings without having submitted good and valid reasons for such absence, shall be considered to have resigned and will be replaced by a person elected by majority vote at a special meeting as provided for in Article X of these by-laws.

**Article VIII – Finances**

Section 1.

The fiscal year of this corporation shall be from July 1st through June 30th of the following calendar year.

Section 2.

All checks and other evidences of indebtedness of the corporation shall be signed by either the Treasurer or the President.

Section 3.

The membership cannot commit this organization's funds without review and recommendation by the appropriate committee and board – unless otherwise accounted for in these bylaws.

#### Section 4.

Financial expenditures may be provided by the organization for instructors, camps, clinics, seminars, band accessories (such as shoes, gloves, flag accessories), or any other expenditure approved by, and at the direction of, the Board for any activity which is covered by the objectives within these bylaws and Articles of Incorporation.

#### Section 5.

**Student Accounts:** Students may increase the balance of their student accounts either by fundraising activities or by direct contribution. If permitted by the Raymore-Peculiar School District, band fees or insurance required by the school at the time of enrollment may be paid with the student accounts. Financial expenditures not provided by the organization for instructors, camps, clinics, seminars, instrument rental, and band accessories (such as shoes, gloves, flag accessories) may be reimbursed from student accounts. Requests for dispersal of student account monies must be made in writing on a Reimbursement Request form to the Treasurer and signed by the student and parent/guardian. In order for the student to be awarded the funds for outside purchases, a receipt must be received and approved by the Treasurer. The Treasurer will have final decision-making authority in accordance with these bylaws for the validity of expenses submitted for reimbursement. In the case where expenses are submitted for the Treasurer's student, this power will transfer to the President and signature approval must be received prior to disbursement by the Treasurer.

For accounting purposes, all fund raised monies will be expended from a student's individual account prior to the use of any directly contributed funds. All monies directly contributed and not already expended may be refunded via check at any point in time. In keeping with state and federal statutes, no fundraised monies shall be refunded to any student.

During the year of a band trip, students may transfer excess fund-raised monies to a parent account only for those parents who have committed to the duties of chaperone. In no case will a Band Boosters fund raiser be used to raise personal trip expenses for a non-chaperone parent. Chaperones must be approved in advance by the Director of Bands with written notification given to the Treasurer prior to the establishment of a parent account.

Upon graduation or transfer of the student from the Raymore-Peculiar School District, the student may authorize the transfer of any fundraised and directly contributed monies to:

- a) any sibling within the district band program
- b) the Band Booster's general fund
- c) the Band Booster's Benevolent Fund

To avoid potential conflicts of interest within the membership, students may not transfer funds to any student who is a non-sibling. The Treasurer shall present to all graduating seniors or transferring students a statement regarding the balance of their account, both fundraised and directly contributed. Upon receipt of this statement, the expectation is that the senior or transferring student will instruct the Treasurer as to the disposition of the entire balance. If no instruction is forthcoming by fiscal year end, the entire balance of the graduating senior's or transferring student's account will be remitted to the Band Booster's Benevolent Fund.

Past due band fees will automatically result in monies being transferred to pay past due fees if funds are available in the student's account.

#### Section 6.

Any disbursements of Band Booster funds shall be by check. All reimbursements for expenses incurred while performing Booster business must have a receipt that clearly identifies the items, time, and place of purchase, and must be accompanied by a Reimbursement Request form. Arrangements can be made in advance to receive a Band Booster check for the amount of purchase only for any allowed expense. All approved reimbursements must be satisfied within 14 days of receiving bill or receipt of expenditure.

#### Section 7.

The annual budget for the Band Booster Organization shall be established by the Board at the regularly scheduled July meeting. This budget will be a working document that details the expected financial needs of the Booster Organization for the current year.

#### Section 8.

It is understood that the Raymore-Peculiar Band Booster Club Inc., cannot commit the Band, its Directors, or the School District in any way; nor can the Director of Bands, or the Raymore-Peculiar School District commit the Raymore-Peculiar Band Booster Club Inc. in any way.

Section 9.

Dissolution – Should the corporation be dissolved, any monies remaining in the treasury shall be transferred to the Raymore-Peculiar High School to be used solely for the benefit of the Raymore-Peculiar High School Band or as directed by the Director of Bands.

**Article IX – Meetings**

Section 1.

A minimum of four (4) regular meetings of the corporation are to be held every fiscal year as determined by the Board at the July meeting. Additional meetings of the corporation can be added and may be called by the Board as necessary.

Section 2.

The President or majority of the Board may call special meetings of the organization.

Section 3.

The annual meeting of the corporation shall be held at the regularly scheduled July meeting.

Section 4.

The Director of Bands and President shall be notified of all regular meetings, committee meetings and any special meetings.

Section 5.

Attendance of Board Members at regularly scheduled meetings is critical to the proper functioning of the organization. A majority of the Board Members shall constitute a quorum.

Section 6.

Voting – A majority of the supporters present, including elected officers, shall be required to pass any motion brought forward. Voting shall be conducted by show of hands in a yea/nay format.

**Article X – Elections**

Section 1.

With prior announcement to the general membership, the Board at the January meeting shall appoint a Nominating Committee consisting of three (3) members. It shall be the duty of this committee to nominate candidates for the Board of Directors to be



filled at the May meeting. These appointments must be consistent with the definitions outlined in these by-laws.

Section 2.

The Nominating Committee shall report the slate of candidates, from supporters as defined in Article IV, they have chosen to the general membership at the regularly scheduled April meeting.

Section 3.

Nominations from the floor shall be permitted before the election at the May or general membership meeting.

Section 4.

Only those persons who have consented to serve shall be nominated for or elected to such office.

Section 5.

Board members shall be elected from the final slate of candidates, created in accordance with Sections 2 and 3 above, by ballot of the existing general membership.

Section 6.

All elected Board Members will assume their roles effective with the beginning of the fiscal year – July 1st.

Section 7.

The newly elected Board of Directors shall appoint all officers of the Corporation.

Section 8.

A vacancy in any office (other than the presidency) shall be filled by special election at the next regular meeting following the vacancy. Special election meetings must be announced to the supporters ten (10) days prior to the designated meeting time and will begin by taking nominations for the vacant office from the attendees, providing the attendees make up a quorum. If no names are entered into nomination, the President will appoint a special committee who will canvas the membership to seek a suitable candidate for the vacant office.

## **Article XI – Parliamentary Authority**

Section 1.

**Demeter’s Manual of Parliamentary Law and Procedure** shall govern all proceedings of this corporation unless stated herein.

## **Article XII – Amendment Procedure:**

The Constitution and the by-laws when written may be amended or modified by 2/3 vote of the supporters present at any regular meeting of the organization, provided that notice of the proposed change has been presented at the previous Board meeting.

## **Article XIII – Indemnification**

Each officer of this organization shall be indemnified by the organization against any and all expenses actually incurred by such officer in connection with the defense of any action, suit, or proceedings to which said officer is made party by reason of being or having been an officer of the organization, except in relation to matters as to which said officer shall have been conclusively adjudged in any such action, suit, or proceeding to be liable for gross negligence or misconduct in performance of the duties as such officer. Such indemnification shall not be deemed to be exclusive of any other rights to which such person may be entitled under any arrangement approved by the organization, or the laws of the state of Missouri.