

**THOMAS CARIO MIDDLE SCHOOL BAND BOOSTERS
CONSTITUTION AND BYLAWS**

Proposed Revision
November 4, 2009

ARTICLE I. Name and Objectives

The name of this organization shall be the Thomas Cario Middle School Band Boosters, hereinafter referred to as the “organization.” The objectives of this organization shall be to:

- a. Generate and maintain an enthusiastic interest in the Thomas Cario Middle School band program.
- b. Lend support, both logistical and financial, to the sanctioned band programs of the school.
- c. Assist the Band Director and the school administration to insure that the program is kept at the highest degree of efficiency and artistic excellence.
- d. Engage in such fund-raising activities as shall be required to carry out the above-mentioned objectives.

ARTICLE II. Membership

Membership shall be comprised of parents and/or guardians of Thomas Cario Middle School band students. Membership shall also be open to any person who desires to further the objectives of the organization. There are no dues required for membership in the organization. Voluntary membership contribution levels may be established as a source of financial support for the band program.

ARTICLE III. Officers

The elected members of the organization shall be:

President

President Elect

Vice President for Hospitality and Events

Vice President for Fundraising

Secretary

Treasurer

Persons elected to office must have a student who is a member of the Thomas Cario Middle School band program throughout the tenure of their office. The above-mentioned officers and the Band Director shall comprise the Executive Board of the organization. *Only elected members of the executive board shall have voting privileges at board meetings. In the event an office is shared (i.e. president and co-president or treasurer and co-treasurer) by two members of the same family, there shall be only one vote allowed for that office.*

The band director shall be an ex-officio member of the board and all committees without suffrage. The band director will have authority to return a decision made by the organization or Booster Executive Board once for further discussion and/or modification. In the unlikely event there remains a disagreement between the band director and other members of the Cario Band Boosters, the principal shall have the authority to veto the decision.

Section 1. Duties of the Officers

President

It shall be the duty of the President to preside at all meetings of the board and organization, to oversee the business operation, to be the main contact person between the Band Director and the organization, and to serve as an ex-officio member of all committees. The President shall ensure the formation of all standing committees, to include a fundraising committee, hospitality committee, publicity committee and *uniform committee*. The President shall ensure the formation of an ad hoc nominating committee for the purpose of conducting annual elections. The President shall be the primary board advisor for the publicity committee, (Article IV, Section 4). The President shall, with approval of the board, fill by appointment the unexpired terms of officers who resign. At the end of the term of office, it shall be the duty of the President to transfer all written materials and records, (i.e. minutes, job description, past year's records), pertinent to the office to the newly elected/appointed officer. At the completion of a full term of office, this transfer shall take place at the June board meeting, (Article V).

President-elect

It shall be the duty of the President-elect to assume all duties of the president in his/her absence and assist the president as needed. The President-elect shall assume the office of President during the next school year and shall assume the duties and responsibilities of the office of President in the event the position becomes vacant. The organization will then elect a new president-elect. The President Elect shall create and maintain the student database and shall notify members of the executive board of all students joining or leaving band as necessary; ensure that new students joining the band receive all handbooks, forms and information required. The President-Elect shall serve as Trip Advisor and assist the band director in the planning and implementation of band trips. The President-Elect shall be the primary board advisor for the uniform committee (Article IV, Section 1).

Vice President for Hospitality and Events

It shall be the duty of the Vice President for Hospitality and Events to assume all duties of the President in the absence of the President and the President Elect. The Vice President for Hospitality and Events shall have ultimate responsibility to provide hospitality and logistical support at band and organization events. The Vice President for Hospitality and Events shall be the primary board advisor for the hospitality committee, (Article IV, Section 3). In March, the Vice President for Hospitality and Events shall form an ad hoc nominating committee, (Article IV, Section 5), for the purpose of compiling a slate of officers for the succeeding year's board. At the end of the term of office, it shall be the duty of the Vice President for Hospitality and Events to transfer all written material, (i.e. minutes, job description, past year's records), pertinent to the office to the newly elected/appointed officer. At the completion of a full term of office, this transfer shall take place at the June board meeting, (Article V).

Vice President for Fundraising

The Vice President for Fundraising shall be the primary board advisor for the fundraising committee, (Article IV, Section 2). The Vice President for Fundraising shall have ultimate responsibility for the planning, execution, and delivery of all fundraising operations undertaken by the organization. At the end of the term of office, it shall be the duty of the Vice President for Fundraising to transfer all written material, (i.e. minutes, job description, past year's records), pertinent to the office to the newly elected/appointed officer. At the completion of a full term of office, this transfer shall take place at the June board meeting, (Article V).

Secretary

It shall be the duty of the Secretary to take minutes at all board and organization meetings, to publish minutes in a timely manner so as to facilitate the progress of the organization's activities, to provide administrative support to the organization, (i.e. correspondence), and to be an alternate point of contact for the publicity committee. *The Secretary shall coordinate volunteer activity for organization events and ongoing yearlong volunteer needs.* At the end of the term of office, it shall be the duty of the Secretary to transfer all written material (i.e. minutes, job description, past year's records) pertinent to the office to the newly elected/appointed officer. At the completion of a full term of office, this transfer shall take place at the June board meeting, (Article V).

Treasurer

It shall be the duty of the Treasurer to act as chief financial officer of the organization, to keep accurate records of all accounts receivable and accounts payable, to account for all income and expenses, to present a Treasurer's report at all organization meetings, and to report to the IRS in a timely manner all papers and forms required for the status of the organization. During the month of August, the Treasurer must ensure that the Band Director submits an operating budget. The Treasurer must present this budget for approval at the September board meeting. *The Treasurer shall make financial information available to Executive Board members and the organization as requested or needed.* The Treasurer shall also be responsible for maintaining student accounts. Prior to the distribution of year-end progress reports, the Treasurer shall prepare a "notice of student account balance due" for any graduating 8th grade student whose band account is in arrears. At the end of the term of office, it shall be the duty of the Treasurer to make a preliminary transfer of all written material, (i.e. minutes, job description, past year's records, reconciled bank statements), pertinent to the office to the newly elected/appointed officer. This preliminary transfer shall take place at the June board meeting, (Article V). No later than sixty (60) days following the last day of the school year, the Treasurer shall prepare and submit to same officer a year-end financial statement with supporting detail and budget-to-actual variances, to include a reconciled bank account balance forward and a reconciled report on student account balances forward, and any other remaining records.

ARTICLE IV. Committees

The following standing committees shall exist: uniforms, fundraising, hospitality, and publicity. The President shall appoint committee chairs, and committee members shall be volunteers from the general membership. All standing committees shall have as an advisor an elected board member. The Band Director and the President shall be ex-officio members of all standing committees.

The following ad hoc committee shall exist: nominating. The Vice President shall appoint committee members for Hospitality and Events. The Band Director shall be an ex-officio member of this ad hoc committee.

Section 1. Uniform Committee

The uniform committee shall consist of a chairman and any other volunteers who are interested in helping the organization procure and distribute uniform items as needed for band members. The chairman of this committee shall be appointed by the President, and shall be a non-voting member of the board. It shall be the duty of this committee to prepare and distribute order forms for shirts and uniforms to parents and students; prepare orders for shirts, dresses and tuxedos for band students and band parents as necessary; submit order to manufacturer; distribute said orders upon delivery to Cario Middle School; ensure that orders are within approved budget of the band program. The board advisor for the uniform committee shall be the President Elect or any other elected board member as agreed upon.

Section 2. Fundraising Committee

The fundraising committee shall consist of a chairman and any other volunteers who are interested in helping the organization meet the financial needs of the band program. The chairman of this committee shall be appointed by the President, and shall be a non-voting member of the board. It shall be the duty of this committee to make fundraising recommendations to the board, and upon approval, to plan, organize, and execute fundraisers with the help of a volunteer network, and to report fundraising developments and results at board and organization meetings. The board advisor for the fundraising committee shall be the Vice President for Fundraising, or any other elected board member as agreed upon.

Section 3. Hospitality Committee

The hospitality committee shall consist of a chairman and any other volunteers who are interested in helping the organization promote a positive image of the band program. The chairman of this committee shall be appointed by the President, and shall be a non-voting member of the board. It shall be the duty of this committee to provide hospitality at band and organization events, to arrange for appropriate recognition of organization supporters, contributors, and business partners, and to develop prize/award strategies for recognizing excellence among band students. The board advisor for the hospitality committee shall be the Vice President for Hospitality and Events, or any other elected board member as agreed upon.

Section 4. Publicity Committee

The publicity committee shall consist of a chairman and any other volunteers who are interested in publicly promoting the fundraisers, concerts and events, and performance accomplishments of the band program. The chairman of this committee shall be appointed by the President, and shall be a non-voting member of the board. It shall be the duty of this committee to publish a quarterly newsletter for distribution to band families and other supporters, to submit copy regarding band activities to other

appropriate media outlets, (i.e. Cario Middle School and Cario PTA newsletters, Moultrie News, etc.), and to establish ongoing contact with other committees so that timeliness and effectiveness of publicity is maximized. The board advisor for the publicity committee shall be the President, or any other elected board member as agreed upon.

Section 5. Nominating Committee

At the direction of the President, the Vice President for Hospitality and Events shall form a nominating committee in March for the purpose of preparing a slate of nominees for the succeeding year's board. This committee shall consist of no less than three (3) volunteers from the general membership of the organization. Upon board approval of the slate of nominees at the April board meeting, and the successful completion of the election process at the May organization meeting, the nominating committee shall be dissolved.

ARTICLE V. Meetings

At least one organizational meeting of each newly elected executive board shall be held over the summer, normally in June and/or July. Other meetings of the executive board shall be held during the school year once each month, August through May, on a day and time agreed upon by the elected officers and the Band Director. In June, there shall be a board turnover meeting, where the outgoing officers shall 1) transfer club materials and records, 2) brief any old, ongoing, or future business of note, and 3) answer questions and provide guidance to the incoming officers. This meeting shall be scheduled on a day and time agreed upon by both outgoing and incoming board members. Treasurer shall schedule an additional meeting with the incoming Treasurer to finalize the transfer of financial records and reports, (Article III, Section 1). Meetings of the organization shall be held on a regular basis during the school year at the discretion of the board, *at least twice a year*. All organization meetings will be announced at least one (1) week prior to the event. Committee meetings shall be held on an as-needed basis at the direction of the President, or as scheduled by the committee chairmen. *The rules contained in Robert's Rules of Order Newly Revised shall govern the organization's meetings in all cases in which they are applicable, and are not inconsistent with the bylaws of this organization.*

ARTICLE VI. Elections

At its first meeting, the organization will elect officers. Thereafter, the nominating committee, (Article IV, Section 5), shall prepare a slate of nominees for the election of the succeeding year's officers. The chairman shall present the slate of nominees at the April board meeting, and upon board approval, at the May organization meeting. Additional nominations may be taken from the floor. A majority of the members present and voting shall elect the new officers. If no candidate for an office should receive a majority of the votes, a second ballot shall be taken between the two (2) nominees receiving the highest number of votes. Officers shall assume office on the last day of school.

ARTICLE VII. Quorum

A quorum shall consist of those members present at a meeting of the organization.

ARTICLE VIII. Amendments

The constitution and by-laws may be amended by a two-thirds majority vote provided the amendment (s) have been presented in writing to the members at least *fourteen (14)* days in advance of the meeting.

ARTICLE IX. Dissolution

The Thomas Cario Band Boosters may be dissolved as an official organization by the Cario Band Director, with written approval of the immediate school administration, if the organization becomes counter productive to the objectives of the band program. At the time of dissolution, all Thomas Cario Band Booster monies held in bank account(s) shall be transferred to Thomas Cario Middle School for the sole use of the Thomas Cario Middle School Band.

THOMAS CARIO MIDDLE SCHOOL BAND BOOSTERS AMENDMENTS TO CONSTITUTION AND BY-LAWS AS ADOPTED ON MARCH 23rd, 2004

At a meeting of the general membership on Tuesday, March 23rd, 2004, the following amendments to the Thomas Cario Middle School Band Boosters Constitution and By-Laws were adopted:

Amendment 1:

The Thomas Cario Middle School Band Boosters is organized exclusively for charitable and educational purposes, including, for such purposes, the making of distributions to organizations that qualify as exempt organizations under section 501©(3) of the Internal Revenue Code, or corresponding section of any future federal tax code.

Amendment 2:

No part of the net earnings of the Thomas Cario Middle School Band Boosters shall inure to the benefit of, or be distributable to its members, trustees, officers, or other private persons, except that the 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 the purpose clause hereof. No substantial part of the activities of the organization shall be the carrying on of propaganda, or otherwise attempting to influence legislation, and the organization 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 provision of this document, 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 section 501©(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©(2) of the Internal Revenue Code, or corresponding section of any future federal tax code.

Amendment 3:

Upon the dissolution of the Thomas Cario Middle School Band Boosters, assets shall be distributed for one or more exempt purposes within the meaning of section 501©(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 disposed of shall be disposed of by the Court of Common Pleas 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.

These bylaws were revised and approved on the _____, 2009, by the Thomas Cario Middle School Band Boosters.

Respectfully submitted,

Signature of Officer, (President)

Susan Gonzales

Date

Sue Kidder

Recorded by:

Signature of Secretary

Date