

# **BYLAWS FOR THE SANDRA DAY O'CONNOR HIGH SCHOOL BAND BOOSTER CLUB**

## **ARTICLE I - NAME & PURPOSE**

**Section 1: Name** The formal name of this organization shall be the Sandra Day O'Connor High School Band Booster Club. The organization shall hereafter be referred to by its informal and frequently used name, Band Boosters.

**Section 2: Purpose** The purpose of the Band Boosters shall be:

1. To support the decisions and teachings of the Band Director.
2. To provide financial and parental support to the band.
3. To support and promote attendance and involvement in band activities by family, staff and community.
4. To promote positive relationships between students, families, staff and community, which exemplify the expectations outlined within the District, Pursuing Victory with Honor, Guidelines and/or Roles and Responsibilities Handbook.
5. If we dissolve for any reason, all unused assets will be donated to the Sandra Day O'Connor Band Program.

**Section 3: Organization** The Band Boosters shall be formed as an Arizona Non-Profit Corporation and will maintain Internal Revenue Code Section 501(c)(3) tax status.

## **ARTICLE II – MEMBERSHIP**

Membership shall be comprised of those Sandra Day O'Connor Band member(s) parents/guardians, interested in the progress and development of the Band Program at Sandra Day O'Connor High School. The organization shall hereafter refer to parents/guardians, as parents.

## **Section 1: DETERMINATION AND RIGHTS OF MEMBERS**

1. The corporation shall have only two classes of membership defined as Regular and Honorary. No member shall be charged dues to be a member of, or hold more than one membership in, the Band Boosters. Except as expressly provided in or authorized by the Articles of Incorporation, the Bylaws of this corporation, or provisions of law, all memberships shall have the same rights, privileges, restrictions and conditions.
  - a. A **Regular Member** is defined as an individual that has at least one student attending Sandra Day O'Connor High School and is a member of the band program, with no more than 2 regular members per household, regardless of the number of students enrolled within the band program.
    - i. As a **Regular Member**, this individual has a vote in all items brought to a general meeting.
    - ii. As a **Regular Member**, voting rights will be null and void should fees not be current within 5 calendar days of annual meeting where Board of Directors are decided.
  - b. An **Honorary Member** is defined as a member that has been approved by the Executive Board, for example, Alumni, extended family and staff. They are a non-voting member.

## **Section 2: NUMBER OF MEMBERS**

There is no limit on the number of members the Sandra Day O'Connor Band Booster Club may admit.

## **Section 3: MEMBERSHIP LOG**

Membership Log shall be maintained in the **current band application** by the Application Administrator.

## **Section 4: NON-LIABILITY OF MEMBERS**

Any and all members of this corporation are not, as such, personally liable for the debts, liabilities, or obligations of the corporation. However, should a member engage in any illegal activity against the Sandra Day O'Connor Band Booster Club, they will be subject to the full extent of the law.

## **Section 5: NON-TRANSFERABILITY OF MEMBERSHIPS**

No member may transfer a membership or any right arising from membership.

## **Section 6: ADMISSION OF MEMBERS**

Parent membership is automatically endowed when a student is enrolled in the Sandra Day O'Connor High School Band Program. Ongoing membership is dependent on payment of annual fees and financial obligations being current from previous years of membership based on required fees detailed by the Band Director. At the next general meeting, the new member is required to complete a new member enrollment form.

## **Section 7: TERMINATION OF MEMBERSHIP**

The membership of a member shall terminate based on a majority vote of the board upon the occurrence of any of the following events:

1. Behavior or actions, which directly impede or diminish the intended purpose of the Band Booster Club, as outlined within Article I; Section 2.
2. Student is not currently enrolled in the Band Program.

# **ARTICLE III - BOARD OF DIRECTORS**

## **Section 1: Board of Directors and Term(s) of Office**

1. The affairs of the Band Boosters will be managed by the Board of Directors which shall consist of the President, Vice President, Secretary, Treasurer & Booster Representative.
2. No two parties related to a band member(s) shall hold the position of President, Vice President, and Treasurer, constituting a conflict of interest.
3. Seven (7) Directors will be elected for a term of two (2) years, for a maximum of two (2) terms or a maximum of four (4) years total.
  - a. Regular Members (voting members) shall elect for the ensuing term, the seven (7) Director positions: President, Vice President, Secretary, Treasurer, Co-Treasurer, & (2) Booster Representatives.
    - i. Regular Members will nominate at the annual meeting held in April/May by voice nomination.
    - ii. Nominees will have 24 hours to accept nomination by voice and/or in writing to the President and/or Band Director.

- iii. The Band Director will approve nominees for positions within 72 hours of nominations.
  - iv. A follow-up meeting will be scheduled within 1 to 2 weeks of Band Director approval of nominees for Regular Members to vote through a ballot for Director Positions.
    - 1. Votes will be tallied during the meeting by the Band Director and/or her designee. Nominees may be present for counting of ballots.
    - 2. Appointment of Positions will be determined, as follows:
      - a. Simple majority determines appointment for given Director Positions when only 2 members are running for given position.
      - b. Should there be more than 3 members running for a given Director's Position, the highest percentage of votes will determine appointment to said Director Position.
    - 3. Director Positions will be announced by the Band Director at the conclusion of the meeting.
  - v. Directors shall take office approximately 2 weeks after the adjournment of the annual meeting to allow for transition of duties to occur.
4. In the case of an unexpected Director Position vacancy, a successor will be elected in the same manner as a regular vacancy and/or appointed by the Band Director and will serve the remainder of the term of given Director Position.
5. The annual meeting of the Board of Directors will usually be held in April/May, prior to the end of the school year.

## **Section 2: Duties of Board of Directors**

### **1. President**

- a. Supervise the affairs of the Band Boosters and the activities of the officers. The scope of the President's authority is limited. He or she shall have no governing authority in making policies or rules without the approval of the officers of the Board.

- b. Set the agenda and preside at all meetings of the Board of Directors and Band Booster meetings.
- c. Ensure all appropriately needed Committee Chairs are appointed, as needed for the operation of the Booster's purpose, and be an ex-officio member of each committee.
- d. Be authorized to sign all checks when the Treasurer is unavailable.
- e. Review all new proposed projects with the Band Directors, per school guidelines.
- f. Work with the Band Director and Treasurer to present a budget proposal to the Board of Directors prior to the first regular meeting of the upcoming Band Season.
- g. Approved budget presented to Regular Membership within one month of the first regular Board of Director meeting.
- h. Prepare an End-of-Year Report to aid the incoming President.
- i. Coordinates communication between Band Director, School Administration and Band Booster Board.
- j. Perform additional duties as needed to ensure the smooth operation of the organization within compliance of the rules, regulations and policies of the Deer Valley Unified School District and Sandra Day O'Connor High School.

## **2. Vice-President**

- a. In the absence of the President, perform all the duties of the President, and when so acting shall have all the powers of and be subject to all the restrictions on the President.
- b. Maintain inventory of Booster supplies. Assist with inventory when other organizations use Booster assets and authorize such use. Conduct inventory at the end of such use and collect any necessary charges incurred.
- c. Perform additional duties as needed to ensure the smooth operation of the organization within compliance of the rules, regulations and policies of the Deer Valley Unified School District and Sandra Day O'Connor High School.

### **3. Secretary**

- a. Shall keep the minutes of all meetings of the Board of Directors and Booster Club Meetings/Annual Meeting, as well as maintain the Board of Directors Book.
- b. Shall purge the Board of Directors Book at the end of each school year and provide the President to store for the appropriate amount of time.
- c. Shall keep such other records as deemed necessary by the Board of Directors.
- d. Shall share minutes with Webmaster to post within the “Members Only” section.
- e. Perform additional duties as needed to ensure the smooth operation of the organization within compliance of the rules, regulations and policies of the Deer Valley Unified School District and Sandra Day O’Connor High School.

### **4. Treasurer (2)**

- a. Shall receive, account for, and deposit all funds raised by the Band Boosters.
- b. Keep and maintain adequate, correct, accounts of the Band Boosters assets and business transactions, including accounts of its assets, liabilities, receipts and disbursements.
- c. Shall pay any bills for the Band Boosters in a timely manner.
- d. Receipts will be issued for all cash transactions and other forms of payment as requested.
- e. Prepare and submit all documents for the Internal Revenue Service as necessary.
- f. Provide monthly/annual financial reports to all Band Booster Club Members.
- g. Shall update the 501c3 with the state at least annually, unless changes in membership of the Board changes more frequently.
- h. Arrange an annual review of all financial records of the previous year conducted by a minimum of 2 Regular Members in good standing.
- i. Perform additional duties as needed to insure the smooth operation of the organization within compliance of the rules, regulations and

policies of the Deer Valley Unified School District and Sandra Day O'Connor High School

**5. Booster Representative (2)**

- a. Liaison between the Board and Regular Membership
- b. Perform additional duties as needed to insure the smooth operation of the organization within compliance of the rules, regulations and policies of the Deer Valley Unified School District and Sandra Day O'Connor High School

**ARTICLE IV - ADMINISTRATION**

1. Band Booster Club meetings will be held on a monthly basis during the school year and on an as-needed basis as determined by the Board of Directors. Meetings may be cancelled at the discretion of the President and/or Band Director.
2. Every reasonable effort shall be made to provide a minimum of 72 hours notice of all meetings and/or cancellations of the Band Boosters Club.
3. In order for a Band Booster Club meeting to be deemed "official", there must be an official notification of a meeting through email or text message within 72 hours of the meeting date and have at least one member from the Board of Directors present.
4. Any number of Regular Members present at an official meeting, shall constitute a quorum.
5. Minutes will be maintained and made available to all members of the Band Booster Club within 72 hours of an official/Board of Directors meeting.
6. Additional agenda Items brought forward by Regular Members of the Band Booster Club during an official meeting may be addressed immediately and/or tabled until a future official meeting at the discretion of the Director present during the discussion.
7. The Band Boosters may designate special committees and each committee shall:
  - a. Have its Chairperson and members appointed by the President with the approval of the Board of Directors.

- b. Record minutes of all committee meetings and submit them to the Secretary.

## **ARTICLE V - FINANCES**

1. President and Treasurer are the only members of the Board of Directors to hold debit cards associated with the Band Booster's bank account.
2. All Band Booster funds are to be deposited in a bank approved by the Board of Directors and may be withdrawn on the signature of the Treasurer or President.
3. The President and Treasurer shall be listed as signers on all Band Booster bank accounts.
4. All checks issued require the initials of President, Treasurer, or Co-Treasurer on memo line, which is not the person who initially wrote the check to verify funds being spent.
5. Payments of non-budgeted goods and services up to \$500 can be approved by a majority of the Board of Directors without the approval of the general membership.
6. Requests for purchase or receipts for non-budgeted reimbursement must:
  - a. Be approved or authorized by the President or Band Director - **No Exceptions.**
  - b. Be submitted with a Request for Purchase/Reimbursement Form
  - c. The Purchase/Reimbursement Form must be completed in its entirety, signed by the President or Band Director and be accompanied by the original purchase order/receipt or the request will be denied.
  - d. Requests for Reimbursement must be submitted within 30 days of purchase.
  - e. Reimbursement checks will be distributed in a timely manner, not to exceed 30 days of receipt of request for reimbursement.
7. The majority of the Regular membership (quorum) must vote to approve larger expenditures, outside of budgeted items, at the next general meeting.
8. Should the Board need to approve an expenditure prior to the next Band



Booster Club meeting, the Board of Directors may have the option to hold an emergency vote via Google Form for the Board of Directors. All expenditures shall be made public at the next Band Booster Club meeting via the Treasurer's Report.

#### **ARTICLE VI - BASIC POLICIES OF OPERATION**

1. The Band Boosters shall be non-political and non-sectarian.
2. The name of the organization or the names of the members in their official capacities shall not be used in connection with a commercial concern or with any partisan interests.
3. The organization shall not directly or indirectly participate or intervene in any political campaign on behalf of, or in opposition to, any candidate for public office.

#### **ARTICLE VII - CONFLICT OF INTEREST POLICY**

1. Whenever a Director or member of a committee has a financial or personal interest in any matter coming before the Board of Directors, the affected person shall:
  - a. Fully disclose the nature of the interest
  - b. Withdraw from discussion, lobbying, and voting on the matter.
2. Any transaction or vote involving a potential conflict of interest shall be approved only when a majority of disinterested Directors determine that it is in the best interest of the corporation to do so. The minutes of meetings at which such votes are taken shall record such disclosure, abstention and rationale for approval.

#### **ARTICLE VIII - INDEMNIFICATION**

Any Director who is involved in litigation by reason of his or her position as a director of this organization shall be indemnified and held harmless by the organization to the fullest extent authorized by law as it now exists or may subsequently be amended (but, in the case of any such amendment, only to the extent that such amendment permits the organization to provide broader indemnification rights).

#### **ARTICLE IX - NON-DISCRIMINATION**

The Band Boosters will not practice or permit discrimination on the basis of sex, age, race, national origin, religion, or physical handicap or disability.

## **ARTICLE X - AMENDMENTS**

These Bylaws may be amended at any meeting of the Board of Directors by a majority vote of the board. Any amendment shall not be inconsistent with the objectives of the organization.

## **ADOPTION OF BYLAWS**

We, the undersigned, are all of the current directors of this corporation, and we consent to, and hereby do, adopt the foregoing bylaws, consisting of 9 preceding pages, as the bylaws of this corporation on this date of **April 21, 2020**.

Maggie Bixler

**President**

Pauline Brown

**Vice President**

Diana Shah

**Treasurer**

Cathleen Jensen

**Co-Treasurer**

Sarah Szostak

**Secretary**

Eric Lander

**Booster Representative**

TBD

**Booster Representative**