

BY-LAWS
OF
SOUTHEAST RALEIGH HIGH SCHOOL
BAND BOOSTER CLUB

ARTICLE I
OFFICES

Section 1 – Principal Office:

The principal office of the Corporation shall be located at 2600 Rock Quarry Road in the City of Raleigh, County of Wake, State of North Carolina.

Section 2 – Registered Office:

The registered office of the Corporation required by law to be maintained in the State of North Carolina may be, but need not be, identical with the principal office.

ARTICLE II
MEETINGS OF EXECUTIVE BOARD

Section 1 – Place of Meetings:

All meetings of the executive board shall be held at the principal office of the Corporation, or at such other place, either within or without the State of North Carolina, as shall be designated on the notice of the meeting or agreed upon by a majority of the executive board entitled to vote thereat.

Section 2 – Annual Meeting:

The annual meeting of the executive board for the election of officers and the transaction of other business shall be held in December of each year on any day (except a Sunday or Legal holiday) in that month as determined by the executive board.

Section 3 – Notice of Meeting:

Written or printed notice stating the time and place of the meeting shall be delivered not less than ten (10) nor more than fifty (50) days before the date of any annual meeting, by mail, by the direction of the executive board, to each member of record entitled to vote at such meeting. If mailed, such notice shall be deemed to be delivered when deposited in the United States mail, addressed to the member at his address as it appears on the record of membership of the Corporation, with postage thereon paid.

ARTICLE III PURPOSES

Section 1 – Objects of the Southeast Raleigh High School Band Booster Club:

- a. To promote the welfare of the children and youth in home, school and community.
- b. To bring into closer relation the home and the school band, that parents and teachers may cooperate in the total education of children and youth.
- c. To develop between educators and the general public such united efforts as will secure for all children and youth the highest advantages in musical education.
- d. To recognize and promote the individual talents of the students and help those students to develop those skills, whether in music or other areas of academic achievement through mentor and internship programs.

Section 2:

The Objects of the Southeast Raleigh High School Band Booster Club are promoted through an educational program, directed toward parents, teachers, and the general public; are developed through conferences, committees, projects, and programs; and are governed and qualified by the basic policies set forth in Article IV.

Section 3:

The organization is organized exclusively for the charitable, literary, or educational purposes of Southeast Raleigh High School Band Students, including, for such purposes, the making of distributions to organizations that qualify as exempt organizations under Section 501 (c) (3) of the Internal Revenue Code or corresponding section of any future Federal Tax code (Hereinafter “Internal Revenue Code”).

ARTICLE IV BASIC POLICIES

The following are basic policies of the Southeast Raleigh High School Band Booster Club.

- a. The organization shall be noncommercial, nonsectarian, and nonpartisan.
- b. The name of the organization or 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 Objects of the organization.
- c. The organization shall not – directly or indirectly – participate or intervene (in any way, including the publishing or distributing of statements) in any political campaign on behalf of, or in opposition to, any candidate for public office; or devote more than an insubstantial part of its activities to attempting to influence legislation by propaganda or otherwise.

- d. The organization shall work with Southeast Raleigh High School Band to provide quality education for all children and youth and shall seek to participate in the decision-making process establishing school policy, recognizing that the legal responsibility to make decisions has been delegated by the people to boards of education.
- e. The organization shall not enter into membership with other organizations except such international or national organizations as may be approved by the executive board. This organization may cooperate with other organizations and agencies concerned with child welfare, but a member shall make no commitments that bind this organization without the express permission of the executive board.
- f. No part of the net earnings of the organization shall inure to the benefit of, or be distributable to its members, directors, 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 Article III hereof.
- g. Notwithstanding any other provision of these articles, the organization shall not carry on any other activities not permitted to be carried on (i) by an organization exempt from Federal income tax under Section 501 (c) (3) of the Internal Revenue Code, or (ii) by an organization, contributions to which are deductible under Section 170 (c) (2) of the Internal Revenue Code.
- h. Upon dissolution of this organization, after paying or adequately providing for the debts and obligations of the organization, the remaining assets shall be distributed to whatever Southeast Raleigh High School Booster Club replaces this Southeast Raleigh High School Booster Club which has established their tax exempt status under Section 501 (c) (3) of the Internal Revenue Code or the corresponding section of any future federal tax code.

**ARTICLE V
MEMBERSHIP AND DUES**

Section 1:

Membership in this Band Booster Club shall be made available without regard to race, color, religion, sex, handicap, national origin, or familial status.

Section 2:

This Band Booster Club shall conduct an annual enrollment of members, but may admit persons to membership at any time.

Section 3:

Each member of this Band Booster Club shall pay annual dues, as set from time to time by the executive board, to the organization.

Section 4:

Each member of this Band Booster Club shall volunteer time to support the efforts of the Band Booster Club. The minimum amount of time will be determined by the executive board, at the beginning of each membership drive and so stated. Volunteer time may, at the discretion of the executive board, be substituted by higher fees. Such amount, if any, will be determined and set, at the beginning of each membership drive and so stated.

Section 5:

Only members of the organization shall be eligible to participate in the business meetings or to serve in any of its elective or appointive positions.

Section 6:

The membership year of the Southeast Raleigh High School Band Booster Club shall begin on July 1 and end the following June 30.

**ARTICLE VI
VOTING RIGHTS**

Each identifiable member in good standing is entitled to one vote. Only votes cast by members present will be counted. No proxies will be permitted. Verification of membership will occur prior to voting on any issue. A quorum will be constituted by 10% of the total general membership.

**ARTICLE VII
TERMINATION OF MEMBERSHIP**

Members may resign at any time by notification to the President, either in writing or verbal.

**ARTICLE VIII
OFFICERS AND THEIR ELECTION**

Section 1:

Each officer of this Band Booster Club shall be a member of the Band Booster Club.

Section 2 – Officers and their Election:

- a. The officers of this organization shall consist of an executive director, president, vice president, secretary and a treasurer.
- b. The president, vice president, secretary and treasurer shall be elected by ballot in the month of December. However, if there is but one nominee for any office, election for that office may be by voice vote.

- c. Officers shall assume their official duties at the January meeting following their election and shall serve for a term of one year or until their successors are elected.
- d. The executive director shall be appointed by the officers to serve a term of two years or until their successor is appointed.

Section 3 – Nominating Committee:

- a. There shall be a nominating committee composed of three (3) members who shall be appointed by the president and approved by the executive board. The committee shall elect its own chairman.
- b. The nominating committee shall nominate an eligible person for each office to be filled and report its nominees at the regular meeting in December at which time additional nominations may be made from the floor.
- c. Only those persons who have signified their consent to serve if elected shall be nominated for or elected to such office.

Section 4 – Removal:

Whenever in its judgment the best interest of the Corporation would be better served, an officer elected by the general membership may be removed from office by a majority vote of a quorum of the general membership; as well, an officer appointed by the board may be removed from office by a majority vote of the board. Any member of the board that fails to attend three consecutive meetings is automatically removed from office and the board shall appoint their successor.

Section 5 – Vacancies:

A vacancy occurring in any office because of death, resignation, removal or disqualification shall be filled by a person elected by a majority vote of the remaining members of the executive board, notice of such election having been given. In case a vacancy occurs in the office of president, the vice president shall serve notice of the election.

**ARTICLE IX
DUTIES OF OFFICERS**

Section 1 – Executive Director:

The executive director shall be responsible for the management of the Corporation. It's the responsibility of the executive director to insure that the actions of the board and the Band Booster Club are in full compliance of the laws governing a 501 (c) (3) corporation. The executive director shall perform such other duties as may be prescribed in these by-laws or assigned to them by the organization or by the executive board; the executive director shall be a member ex officio of all committees except the nominating committee.

Section 2 – President:

The president shall preside at all meetings of the organization and of the executive board at which they are present; shall perform such other duties as may be prescribed in these by-laws or assigned to them by the organization or by the executive board; shall be a member ex officio of all committees except the nominating committee; and shall coordinate the work of the officers and committees of the organization in order that the object may be promoted.

Section 3 – Vice President:

The vice president shall act as an aide to the president and shall perform the duties of the president in the absence or inability of the officer to serve; shall perform such other duties as may be prescribed in these by-laws or assigned to them by the organization or by the executive board.

Section 4 – Secretary:

The secretary shall record the minutes of all meetings of the association and of the executive board, have a current copy of the by-laws, maintain a membership list, and shall perform other delegated duties as may be assigned.

Section 5 – Treasurer:

- a. All monies collected by the organization as local dues, raised in unit activities, received as contributions, or otherwise acquired belong to the local organization to promote and implement a program of services, projects and other activities approved, adopted and directed by the membership of the organization.
- b. The treasurer shall have custody of the funds of the organization, shall keep a full and accurate account of receipts and expenditures; and in accordance with the provisions in the annual budget adopted by the organization, and shall make disbursements as authorized by the executive board. Checks or vouchers shall be signed by two persons: the treasurer and one other officer designated by the executive board. The treasurer shall present a financial statement at every meeting of the organization and at other times when requested by the executive board, and shall make a full report at the meeting at which new officers officially assume their duties. The treasurer shall be responsible for the maintenance of such books of account and records as conform to the requirements of the Band Booster Club.
- c. The treasurer's accounts shall be examined annually by an outside accounting firm not affiliated with the Southeast High School Band Booster Club or with Southeast Raleigh High School.
- d. The treasurer shall be responsible for filing any required tax forms as required by North Carolina State and Federal law(s).

Section 6 – All Officers Shall:

- a. Perform the duties outlined in these by-laws and those assigned from time to time.
- b. Upon the expiration of the term of office or in case of resignation, each officer shall turn over to the president, without delay, all records, books, computer disks and or programs pertaining to the office, and shall return to the treasurer, without delay, all funds pertaining to the office with a full accounting.
- c. 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 case of fraud.

**ARTICLE X
BOARD OF DIRECTORS**

Section 1:

The board of directors shall consist of the following appointed officer, elected officers and appointed Standing Committee Chairpersons:

<u>Appointed:</u>	Executive Director
<u>Elected:</u>	President Vice President Secretary Treasurer Student Band President
<u>Standing Committee Chairpersons:</u>	Social-Hospitality Ways & Means Chaperone (appointed by the Band Director) Travel & Lodging Band Improvement Funding Publicity Uniform Band Camp & Special Events
<u>Band Director:</u>	Non-voting member

Section 2:

Regular meetings of the board of directors shall be held each month of the calendar year, the time to be fixed by the board at its first meeting of the year. A majority of the board shall constitute a quorum. Special meetings of the board may be called by the president or by a majority of the members of the board, seven (7) days notice being given. The board will always meet prior to the meeting of the executive board.

**ARTICLE XI
EXECUTIVE BOARD**

Section 1:

The executive board shall consist of the executive director, president, vice president, secretary, treasurer and student band president.

Section 2 – The duties of the executive board shall be:

- a. To transact necessary business in the intervals between organization meetings and such other business as may be referred to it by the organization.
- b. To create standing and special committees.
- c. To present a report at the regular meetings of the organization.
- d. To select an outside accounting firm to audit the treasurer's accounts and to fill out any tax forms.
- e. To prepare and submit to the organization for adoption a budget for the year.
- f. To approve routine bills within the limits of the budget.
- g. To review and approve budgets of all standing committees.
- h. To make all expenditures for standing committees.

Section 3:

Regular meetings of the executive board shall be held each month of the calendar year, the time to be fixed by the board at its first meeting of the year. A majority of the executive board members shall constitute a quorum. Special meetings of the executive board may be called by the president or by a majority of the members of the board, seven (7) days notice being given.

**ARTICLE XII
MEETINGS**

Section 1:

Regular meetings of the organization shall be held every other month on Tuesday, starting with the month of July, unless otherwise provided by the association or by the executive board, ten (10) days notice must be given to change the date of a regular meeting.

Section 2:

The executive director, president or a majority of the board of directors may call special meetings, ten (10) days notice having been given.

Section 3:

The annual meeting shall be in December.

Section 4:

Ten percent (10%) of the members shall constitute a quorum for the transaction of business in any meeting of this organization.

**ARTICLE XIII
COMMITTEES**

Section 1:

Only members of the organization shall be eligible to serve in any elective or appointive positions.

Section 2:

The executive board may create such standing committees as it may deem necessary to promote the objects and carry on the work of the organization. The term of each chairman shall be one (1) year or until the selection of a successor.

Section 3:

The chairman of each standing committee shall present a plan of work to the executive board for approval. No committee work shall be undertaken without the consent of the executive board.

Section 4:

The power to form special committees and appoint their members rests with the executive board.

Section 5:

Since a special committee is created and appointed for a specific purpose, it automatically goes out of existence when the work is done and its final report is received or its charter is revoked by a majority vote of the executive board.

**ARTICLE XIV
FISCAL YEAR**

The fiscal year of this organization shall begin on July 1 and end on the following June 30.

**ARTICLE XV
AMENDMENTS**

Section 1:

- a. These by-laws may be amended at any meeting of the organization by a two-thirds vote of the members present and voting, provided that notice of the proposed amendment shall have been given at least thirty (30) days prior to the meeting at which the amendment is voted upon.
- b. The amendment shall become effective upon the vote.
- c. A committee may be appointed to submit a revised set of by-laws as a substitute for the existing by-laws by a majority vote at a meeting of the organization, or by a two-thirds vote of the executive board. The requirements for adoption of a revised set of by-laws shall be the same as in the case of an amendment.

Adopted August 27, 1999.

Amended at the organization's regularly scheduled meeting on June 3, 2003 in accordance with provisions for amendment as outlined in the original document.