

Starr's Mill Band Boosters, Inc. Bylaws
(Proposed Revision 07/29/21)

ARTICLE I: NAME

Section 1: The name of the organization is Starr's Mill Band Boosters, Inc.

Section 2: The principal office and place of business of Starr's Mill Band Boosters, Inc. shall be at Starr's Mill High School, 193 Panther Path, Fayetteville, Georgia 30215.

ARTICLE II: MEMBERSHIP

Section 1: The purpose of Starr's Mill Band Boosters shall be:

- a. To build and maintain an organization of parents who will help promote the general activities of the Starr's Mill High School band program.
- b. To promote ways and means of providing for the needs of the Starr's Mill High School band program by supplementing financial support above that which is supplied by the Fayette County, Georgia school system. Starr's Mill Band Boosters shall seek neither to direct the administrative activities of the band nor to control its policies.

Section 2:

- a. Starr's Mill Band Boosters is organized exclusively for charitable and educational purposes within the meaning of Section 501(c) (3) of the Internal Revenue Code or corresponding section of any future Federal Tax Code (herein after referred to as the Internal Revenue Code). It shall have, but not be limited to, all the rights, powers, privileges, and immunities now or hereafter given by law, or as now or hereafter may be enjoyed by a like non-profit organization.
- b. As per Internal Revenue Service instructions, no part of the net earnings of Starr's Mill High School Band Boosters shall incur to the benefit of, or be distributable to its members, trustees, officers, or other private persons, except that Starr's Mill Band Boosters 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 of these Bylaws. No substantial part of the activities of Starr's Mill Band Boosters shall be the carrying on of propaganda, or otherwise attempting to influence legislation, and Starr's Mill Band Boosters 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.
- c. Notwithstanding any other provision of these Bylaws, Starr's Mill Band Boosters shall not carry on any other activity not permitted to be carried on (a) by any organization exempt from federal income tax under section 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.

Section 3: Officers, directors and/or members of the organization shall not be authorized unilaterally to incur obligations on behalf of the organization unless they do so with written authority, such as the annual budget. Unauthorized obligations shall be brought before the Board for approval. Officers, directors and/or members may be personally liable for unauthorized obligations they have endorsed or guaranteed.

ARTICLE III: MEMBERSHIP

Section 1: All parents/guardians of members in the Starr's Mill High School Band, Colorguard and auxiliary units may be members of Starr's Mill Band Boosters and are eligible for election to office of the same.

Section 2: The Board of Directors may establish reasonable dues to the active membership.

Section 3: The Board of Directors may admit to membership interested persons who are not parents or guardians of band members. These members shall be known as "Associate Members" and shall have no voting privileges.

Section 4: All committee meetings and the Board of Directors' meetings shall be open to all current members of the booster's organization. Nominating committee meetings are closed. The Board may close a meeting if discussing personnel matters that require confidentiality and/or protection of privacy rights.

ARTICLE IV: BOARD OF DIRECTORS

Section 1: The Board of Directors shall consist of not less than nine (9) nor more than fifteen (15) members.

Section 2: The Board of Directors shall be composed of the officers of Starr's Mill Band Boosters described in Article V and standing committee chairpersons, as described in Article VIII. The Starr's Mill High School Band Director shall be an ex officio (permanent and voting) member of the Board of Directors.

Section 3: In the absence of the Band Director, the Assistant Band Director may participate on the Board of Directors as the acting Band Director, with voting privileges.

Section 4: Regular meetings of the Board of Directors shall be held at a time and day decided upon at the beginning of the Board's term. Special meetings of the Board of Directors may be called by the President as needed. Non-Board members attending a regular meeting may only participate if placed on the agenda prior to the meeting.

Section 5: The presence of one-half (1/2) of the Board of Directors shall be necessary and sufficient to constitute a quorum for the transaction of business.

Section 6: Each member of the Board of Directors shall have one (1) vote.

Section 7: The Board of Directors shall have the power and duty to recommend to the membership the establishment of policy and control of the operation of Starr's Mill Band Boosters, acting through the President, other officers, and Board members.

Section 8: The Board of Directors shall have full power to take action requiring expediency between general membership meetings of the Starr's Mill Band Boosters. Expenditure of funds by the Board of Directors between general membership meetings for non-budgeted items shall be permissible, as described within these bylaws. Actions taken by the Board of Directors between meetings shall be brought before the general membership.

Section 9: Term of Office: Officers shall hold office for a period of one (1) year, starting on the last day of the current school calendar year. No officer shall hold the same office for a period of longer than two consecutive years.

Section 10: The incoming Board of Directors shall attend, without vote, a joint meeting with the outgoing Board of Directors. This meeting shall be held after elections during the month of May.

Section 11: Board of Director Members shall be expected to be active members. When a Board member fails to attend three (3) consecutive meetings without extenuating circumstances, or is not fulfilling the

responsibilities of the office as prescribed in the bylaws, or engages in conduct which the Board determines to be injurious to the organization or its purposes, the Board may, by a two-thirds (2/3) vote, take such action as it determines appropriate. The Board shall be empowered to appoint a replacement. Should the removed Board member be an officer, the Board may appoint a temporary replacement until the matter of filling the position can be addressed through the normal election procedure.

Section 12: Upon the expiration of the term of office or in case of resignation or termination, each Board member shall turn over to the President, without delay, all records, books, and other material pertaining to the Board position; and shall return to the Treasurer, without delay, all funds belonging to the organization.

Section 13: Acceptance of a position on the Board of Directors constitutes agreement to abide by these bylaws.

Section 14: A budget for the following school year shall be submitted by the budget committee and approved by the Board of Directors prior to the close of the school calendar year.

Section 15: The fiscal year of the organization shall be from July 1 to June 30. The term of office for the Treasurer will follow the fiscal year.

Section 16: The Board of Directors must approve payment of any unbudgeted or over budget expenditures. Any unbudgeted expenditure exceeding twenty thousand dollars (\$20,000), must also be approved by a majority vote of the general booster membership prior to obligating the band booster organization.

ARTICLE V: OFFICERS

Section 1: The officers of Starr's Mill Band Boosters shall be:

- a. **President**
- b. **Vice President**
- c. **Secretary**
- d. **Treasurer**

Section 2: No two offices shall be held by the same person concurrently. Co- officers may be elected; however, there shall be only one vote per office. All officers of Starr's Mill Band Boosters shall be responsible and accountable for their acts as such to the membership.

Section 3: Spouses may not serve as officers or co-officers on the Board.

Section 4: A contract proposal shall be negotiated with any person or persons on behalf of the Starr's Mill Band Boosters organization for a position on the band staff where funds from the organization's budget will be used for any portion of their salary. These contracts shall be submitted for review and when approved by the officers it will be signed by the President and Treasurer. These contracted positions shall be filled and/or renewed by recommendation of the band director. These contracted band staff personnel shall submit a proposed budget including his/her salary to the Booster Board for approval. Upon approval, it shall be signed by the President and Treasurer.

ARTICLE VI: DUTIES OF OFFICERS

Section 1: The **President** shall:

- a. Preside at all meetings of the Starr's Mill Band Boosters and of the Board of Directors.
- b. Call meetings as provided by these bylaws.
- c. Be an ex-officio member of all committees except the nominating committee.
- d. Appoint other committees and chairmen as deemed necessary by the Board of Directors to promote the objectives of the Starr's Mill Band Boosters. Chairmen of special committees do not have a vote on the Board of Directors.
- e. Have the responsibility for the general management of the affairs of Starr's Mill Band Boosters.
- f. Carry out the resolutions of the Board of Directors.
- g. Convene a budget committee to prepare a budget for the coming year. This committee shall consist of the President, the Treasurer, and the Band Director(s), and Secretary. If there is an incoming President and/or Treasurer, they shall also be member(s) of this committee
- h. Work with the Athletic Director for permission on where to hang promotional material in the football stadium.
- i. Hire band photographer for group shots, individual shots and senior banners.
- j. Organize the mandatory parent meetings with band directors.
- k. Send yearly donation solicitation communication to all band booster parents for band classes.
- l. Maintain a database of email addresses for all band parents and students. This database is for booster and band director use only.
- m. Work with the Board of Directors to set up a system for use of the database.
- n. Gather and disseminate information and announcements from the various committees and band director to the parents when needed.

Section 2: The **Vice President** shall:

- a. Perform the duties and exercise the powers of the President in the absence of the President.
- b. Work closely with the president in order to assume those duties after the president's term expires. (The Vice President will normally serve for at least one year and then serve as President for at least one year, but this is not required.)
- c. Appoint the Financial Review Committee.
- d. Serve as chairman of the by-laws review committee.
- e. Be an ex-officio member of all committees.

- f. Review the Board of Directors' insurance needs and report findings and recommendations to the board every two years.

Section 3: The **Secretary** shall:

- a. Record the minutes of Board of Directors meetings for approval, and email to General Membership. ~~.-~~
- b. Record the proceedings of general membership meetings.
- c. Perform such other duties as may be assigned to him/her from time to time by the President or the Board of Directors.
- d. Serve all notices for Starr's Mill Band Boosters which shall have been authorized by the Board of Directors, to include donation acknowledgements.
- e. Have charge of all books, records, and current bylaws of Starr's Mill Band Boosters other than the financial records kept by the Treasurer.
- f. Prepare a list of all unfinished business for the use of the President.
- g. Serve as Corresponding Secretary and notify Board of Directors of all meetings and special events.

Section 4: The **Treasurer** shall:

- a. Keep an accurate and detailed account of all receipts and expenditures; preserve all vouchers, receipts, statements, and canceled checks according to Internal Revenue Code guidelines.
- b. Submit a report for approval at regular meetings of the Board of Directors and general membership. This should include: balance on hand, deposits, and expenditures since the last meeting, and the most recent bank statement.
- c. Have the care and custody of all the funds, securities, and books of account of the organization.
- d. Deposit said funds in the name of the organization in such bank account(s) as the Board of Directors may deem necessary.
- e. Make disbursements by check as authorized by the Board of Directors in accordance with the budget adopted by the Starr's Mill Band Boosters.
- f. Reconcile monthly bank statements.
- g. Ensure that all four officers are signatures on the checking account. Ensure that all checks over five thousand dollars (\$5,000.00) are signed by two officers of the Board of Directors, unless the expense is previously approved by the board or part of a contract stipulation (i.e. for band trips). Approvals by two officers of the board for electronic payments will be maintained for amounts over \$5,000.00.
- h. Complete forms required by law.
- i. Obtain receipts prior to reimbursement for expenditures.
- j. Have all accounts examined annually and/or upon change of officer by a Financial Review Committee to be appointed by the Vice President and comprised of a minimum of three persons, not

to include the Treasurer: one member of the Board of Directors and two members from the general membership, one of which is a parent of a non-marching student.

k. Keep such permanent books/records and file all papers as shall be sufficient to maintain this organization's charitable status.

l. Recruit and train an **assistant treasurer**.

Section 5: All Officers shall:

a. Deliver reports to the Board or membership as requested or needed.

b. Solicit volunteers to aid in the accomplishment of the duties of his/her office.

ARTICLE VII: ELECTIONS

Section 1: A nominating committee of three (3) members, appointed by the President in January, will make nominations for offices of Vice-President, Secretary, and Treasurer. The committee will submit a list of nominees by the end of February. The Vice President should be a member of this committee.

Section 2: Nominees shall be presented to the general membership for voting. Nominations may also be made at this time, provided consent of the nominees can be secured.

Section 3: The officers of Starr's Mill Band Boosters shall be elected by majority vote of the members of Starr's Mill Band Boosters general membership. Voting shall be as dictated by the President and Directors by secret ballot.

Section 4: A vacancy in any office shall be filled by an election by proxy votes of all Band Boosters upon the occurrence of such vacancy, unless all of the offices become vacant by reason of a recall, in which event the vacancy shall be filled at the same meeting at which the vacancies were created. In the event of a vacancy of office during a term, the Board officers shall act as a nominating committee to fill the vacancy in an expedient manner. In this case, they shall have the power to grant "temporary officer status" to any nominee chosen until the matter of filling the vacancy can be addressed through normal nomination/election procedure. A vacancy exists when any officer resigns his/her office or is recalled by the members.

Section 5: In the event a petition requesting a recall of any officer and signed by at least one-third (1/3) of the membership of Starr's Mill Band Boosters is delivered to the President, Vice President, Secretary, or Band Director, the membership shall be notified of the recall petition prior to the next general membership meeting, which is at least seven (7) days from the date of such delivery, at which time a secret ballot vote shall be held. If the vote is affirmative by a majority of the members present and voting, the officer shall be immediately recalled.

Section 6: In the event of a recall of the entire slate of officers, the Band Director shall preside over the election of a new slate of officers at the same meeting.

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ARTICLE VIII: STANDING COMMITTEES

Section 1: Standing Committee Chairperson Positions shall include, but not be limited, to the following:

- a. **Chaperone**
- b. **Colorguard**
- c. **Concessions**
- d. **Web Master/ Calendar**
- e. **Property Manager (Pit Crew)**
- f. **Uniform**
- g. **Fundraising**
- h. **Hospitality**

Section 2: Chairpersons of the Standing Committees shall be members of the Band Booster organization. They are chosen by appointment of the incoming officers and carry a position on the Board of Directors.

Section 3: **All Chairpersons** shall:

- a. Attend board meetings and general membership meetings.
- b. Deliver committee reports as requested or needed.
- c. Solicit volunteers to aid in the accomplishment of the missions of their committee.
- d. Submit a list of needs and any revenue projections to the treasurer prior to preparation of the budget for the upcoming year.

Section 4: Specific Chairperson Duties

a. The **Chaperone Chairperson** shall:

- 1. Be responsible for the procurement, scheduling, assignment, and supervision of chaperones for band camp, football games, competitions, parades, festivals, trips, or any event that requires chaperones as requested by the band director.
- 2. Collect and maintain, or recruit an assistant to collect and maintain student medical, disciplinary, and "Consent, Acknowledgement, and Release" forms.
- 3. Maintain list of chaperone duties for band camp, practices, rehearsals, competitions and athletic events and present to incoming chaperone chairperson.
- 4. Oversee the purchase and maintenance of first aid kit supplies for the Band and Colorguard.

b. The **Colorguard Chairperson** shall:

1. Be a parent of a current member of the Colorguard unit or marching band member.
2. Serve as an assistant to the Colorguard Instructor/Sponsor and Band Director(s).
3. Serve as a liaison between the Band Director, parents and the Instructor.
4. Work closely with Colorguard members, ensuring their well-being, group cohesion, and preparedness.
5. Keep the parents informed of current and upcoming events.
6. Assist in the assessment of Colorguard needs, cost, and fulfillment of those needs.
7. Recruit assistance from volunteers, overseeing sub-committees formed for Colorguard needs.
8. Maintain a list of Colorguard Chairperson duties and relevant information to present to the incoming Colorguard chairperson.

c. The **Concessions Chairperson** shall:

1. Staff, set up, and run the concession stands whenever the need arises.
2. Set a menu and purchase all supplies necessary.
3. Record and maintain an inventory of all concession equipment owned by this organization through purchase or donation.
4. Supervise and assist in the purchase, storage, and inventory of concession equipment. Coordinate the loan of concession stand equipment to other organizations or individuals with the approval of the President.
5. Maintain a list of concessions duties and relevant information for athletic events to present to the incoming concessions chairperson.

d. The **Webmaster** shall:

1. Maintain or recruit an assistant to maintain the band website.

2. Add and revise events, dates and times on the website calendar to keep it current.
3. Make sure all pertinent information dealing with Marching Band, Band Classes and Band Boosters is current.
4. Show recent photos of band members on the homepage of website.
5. Test all links periodically.

e. The **Property Manager (Pit Crew)** shall:

1. Coordinate vehicle(s) and driver(s) for the transportation of band equipment to off campus functions and stadium practices--
2. Oversee the Pit Crew and props for marching band.
3. Assist band director with equipment maintenance.

f. The **Uniform Chairperson** shall

1. Oversee the storage, use, distribution, cleaning, repair, order, and replacement of marching band uniforms
2. Measure band members for marching band uniforms, as needed.
3. Ensure all marching uniforms are accounted for and inspected at the end of the marching season. Maintain annual inventory of marching band uniforms.
4. Provide parents with ordering information for concert uniforms.
5. Maintain a travel bag with extra marching uniform parts for all events.
6. Maintain list of uniform duties for photo day, rehearsals, competitions and athletic events to present to incoming uniform chairperson.

g. The **Fundraising Chairperson** shall:

1. Oversee, research and execute fundraising activities sponsored by Starr's Mill Band Boosters.
2. Work closely with the Band Director and event chairman regarding student participation in fundraising events.
3. Keep an accurate and detailed account of each fundraiser including deposits and expenditures and make these available to the Treasurer.
4. Oversee corporate sponsorship duties. The Fundraising Chairperson can recruit a chairperson for Corporate Sponsorship to assist with these duties if desired.

5. Corporate Sponsorship duties should include but not be limited to:
 - a. Organizing corporate sponsor activities.
 - b. Compose and deliver solicitation communication to potential corporate sponsors.
 - c. Coordinate with the band director to develop an annual band program wish list for potential corporate sponsor donations.
 - d. Coordinate with the treasurer to arrange a system to account for money collected from corporate sponsors.
 - e. Promptly submit donations to the treasurer or appropriate chairperson.

h. The **Hospitality Chairperson** shall coordinate:

1. Provide Meals or snacks for directors and/or students as needed. (E.g. Band Camp director's meals, New Parent's Coffee, End-of-Band-Camp Cookout, tailgating meals.)
2. Order competition meals.
3. Provide snacks and bottled water at competitions.
4. Provide any necessary food, snacks or beverages at band camp.
5. Recruit a team of volunteers to assist with hospitality related duties, to include:
 - a. Recognition of Seniors on Senior Night.
 - b. Assisting with the End-of-Year Banquet.
 - c. Assisting with 8th grade recruitment events.
6. Maintain a list of hospitality duties for incoming Hospitality Chairperson.

ARTICLE IX: AMENDMENTS AND REVISIONS TO BYLAWS

Section 1: A review of the by-laws shall be conducted every two years or as deemed necessary by the Board of Directors.

Section 2: After review by the President and an appointed Bylaws Review Committee, the bylaws of Starr's Mill Band Boosters may be amended, repealed, or revised only by the affirmative email vote of a two-thirds (2/3) majority of the membership., and after notice of proposed action and the date of the vote thereon shall have been given at a previous general membership email.

Section 3: Since the bylaws of the organization, if valid, must not be in conflict with Federal or State Constitutions, or State or Federal Laws, any amendment or revisions to these bylaws will be referred for review at time of approval to legal counsel as required. Any portion of these bylaws which is, or becomes, in conflict with the applicable laws or regulations, shall be null and void and shall not affect the validity of the remaining bylaws.

Section 4: Any article or section affected by amendments shall be automatically revised upon the next printing of the bylaws and shall take effect immediately.

ARTICLE X: ADDITIONAL FUNDS DISTRIBUTION

Section 1: The Treasurer shall maintain the "Friends of the Band" fund. This fund will be supplied by supporter donations and a single initial contribution at the beginning of each fiscal year by an amount decided upon by the Budget Committee. The fund must have a minimum balance of at least \$2,000 at the beginning of each fiscal year. The Treasurer shall assist the President and the Vice President in the determination of a band member's eligibility to receive monies from the "Friends of the Band" fund.

Section 2: Reserve funds maintained as separate budget funds will include but not be limited to: purchase and/or replacement of instruments/equipment, uniforms, music commission and band travel. Additional reserve funds may be designated by the Board of Directors.

Section 3: A reserve fund entitled "General Fund" has been established and will be maintained for unplanned/unbudgeted expenditures and/or one time purchases. Funds are to be allocated to the General Fund by direction of the Board of Directors. The Board of Directors will approve any expenditure from the General Fund. Any surplus/deficit remaining in the budgeted accounts at the end of the fiscal year shall be transferred to the General Fund.

Section 4: The Starr's Mill Band Boosters shall maintain an individual student account for each band member for the purpose of paying co-curricular band related expenses for individual band students, as approved by the Board of Directors. Student accounts shall be governed by a written Student Account Policy Statement found in the current Band Handbook. The Student Account Policy will be established and approved by the Board of Directors.

Section 5: The Starr's Mill Band Boosters shall annually award a Spirit Scholarship in memory of Mr. Jeff Frix. This scholarship will be awarded to the student or students who demonstrated servant leadership during their time in the band. Funds for this scholarship will come from the interest income generated on a separate account for the scholarship fund under the name of the Starr's Mill Band Boosters organization. The principal amount shall remain the same, not to fall below the initial investment of \$10,000 and only the interest will be available for distribution. The Board of Directors of the Booster organization may choose to add to the principal amount in order to generate more interest for the scholarship fund. Fiduciary agents for this scholarship program will be the Vice-President, Secretary and Treasurer of the Booster organization. These agents may have the discretion to invest the principal in an account that will generate the most interest. The Scholarship committee will select the recipient of the scholarship award and shall consist of the Assistant Band Director or Band Director, a member of the Starr's Mill administration, a current band parent and two other members selected by the President. These two members shall have no ties to or relationship with the band program or Boosters. No parent of a current applicant may serve on the Scholarship Committee.

ARTICLE XI: MISCELLANEOUS

Section 1: The Band Boosters may purchase insurance which protects the Band Boosters from losses due to commercial crime. This policy will cover all Band Booster members.

Section 2: Items purchased by the Starr's Mill Band Boosters shall become the property of the Starr's Mill High School Band Program.

Section 3: Those persons who make authorized purchases for the Band and Colorguard must present a receipt within thirty (30) days of the purchase in order to be reimbursed.

ARTICLE XII: DISSOLUTION

Upon the dissolution of Starr's Mill Band Boosters, 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 Board of Education of Fayette County, Georgia 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 Starr's Mill Band Boosters 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 revised by-laws of the Starr's Mill High School Band Booster organization have been adopted by a two-thirds (2/3) majority vote of the Band Boosters Board of record on July 29th 2021. The Board of Directors will implement changes pursuant to ratification of these by-laws. A copy of the by-laws shall be available to the membership at all times. The below named Officers of the Starr's Mill Band Boosters certify these by-laws have been duly presented and accepted by the general membership.

Signatures of Officers of Starr's Mill Band Boosters:

President

Vice President

Secretary

Treasurer

Band Director