

**ATLEE HIGH SCHOOL BAND BOOSTERS
CONSTITUTION AND BY-LAWS**

ARTICLE I: NAME AND LOCATION

Section 1. Name

- a. The name of the organization shall be the "The Atlee High School Band Boosters" hereafter referred to as "the Boosters".

Section 2. Location

- a. The location of the Boosters' principle place of business is the Atlee High School, Mechanicsville, Virginia.
- b. The meeting location of the Boosters may be changed from the principle place of business from time to time as determined by the President of the Boosters.

ARTICLE II: OBJECTIVES

Section 1. Objectives of the Boosters

- a. Serve as an active promoter and supporter of the programs and activities of the Atlee High School Band Department and Auxiliary Units.
- b. Develop a closer relationship between the home, school, and community, that parents, educators, and the general public may cooperate and intelligently support programs that promote the educational and musical well-being of our youth.
- c. Promote band programs in the elementary and middle school that send students to Atlee High School.
- d. Serve as an advocate of the band program and related activities with the Hanover County School Board and Administration.

These objectives will be achieved by promoting, supporting, and encouraging all students who are participating in band activities at Atlee High School.

Section 2. Basic Policies

- a. The Boosters will be non-commercial, non-sectarian, and non-partisan.
- b. Neither the Boosters' name nor the names of any of its members in their official capacities will be used in connection with any commercial concern or partisan interest or for any purpose not appropriately related to the objectives of the Boosters,
- c. The Boosters will not directly or indirectly participate in any way, including the publishing or distribution of statements, in any political campaign.
- d. The Boosters will seek to responsibly participate in the decision-making process to establish or modify school policy, recognizing that the legal responsibility and authority has been delegated to the Hanover County School Board and School Administration.
- e. The Boosters will work with the school administration to help provide a quality band program for all youth that complements the overall educational program.
- f. The Boosters may cooperate with organizations that are concerned with the well-being of youth and/or the promotion of music programs; however, representatives of

- the Boosters will not make commitments that bind the Boosters to outside organizations without prior approval of the Board.
- g. The Boosters will not participate in any activity that would not be approved by the Building Principal, the Superintendent of Schools for Hanover County, or the Hanover County School Board, where such approval is required.
 - h. The Boosters is a non-profit organization and as such will not engage in any activity that would be inconsistent with the status of:
 - a. Charitable, scientific or education organization as defined in Section 501 (c) (3) of the Internal Revenue Service (IRS) Code of 1964 (or the corresponding provisions of any future United States Internal Revenue Law) as amended or any successor provision thereto.
 - b. An organization, contributions to which are deductible under Section 170 (c) (2) of the Internal Revenue Code of 1964 (or the corresponding provisions of any future United States Internal Revenue Law). As amended or any successor provision thereto.
 - i. Upon dissolution of the Boosters, the Board will, after paying or making provision for the payment of all the liabilities of the Boosters, dispose of all the assets of the Boosters exclusively to such organization or organizations that are organized and operated exclusively for charitable, educational, religious, or scientific purposes as will the time qualify as an exempt organization under Section 501 (c) (3) of the IRS code as amended or any successor provision there to, as the Board will determine. Any such assets not so disposed of by the Board will be disposed of by the Circuit Court of Hanover County and will be distributed exclusively for such purposes or to such organization or organizations, as said court will determine.

ARTICLE III: GOVERNMENT

Section 1. Articles of Organization

- a. The Articles of Organization of the Boosters will be the Constitution and Bylaws of the Boosters as approved and amended

Section 2. Board of Directors

- a. The governing body of the Boosters will be a Board of Directors; hereafter called “the Board”
- b. The Chairman of the Board is the President of the Boosters.
- c. Each member of the Board will have one vote even though that member may hold multiple positions on the Board. A member must be present to vote. Voting by e-mail is allowed on motions presented to the Board via e-mail. The results of e-mail voting will be forwarded to the Secretary for the purposes of recording the motion and results in the minutes.
- d. The General Membership of the Boosters will elect a Board of Directors annually in the spring.
- e. Members of this Board will possess all the powers and responsibilities of conferred upon them by the Statute of the Commonwealth of Virginia, provided the Boosters remains in compliance with Section 501 (c) (3) of the most current IRS code.

- f. The Board of Directors will consist of duly elected Officers and Directors as defined in Article III, Section 3.B.
- g. The Building Principal and Band Director at Atlee High School and Chairpersons of Standing Committees not elected as Directors will be ex-officio non-voting members of the Board of Directors.

Section 2.1 Duties of the Board of Directors

- a. Transact regular business and other such business in the intervals between general membership meetings.
- b. Approve the work plans and activities of standing and special committees.
- c. Report on Board meetings and activities at the general membership meetings.
- d. Prepare and present a proposed budget to the general membership for the upcoming fiscal year.
- e. Approve all expenditures not authorized in the approved budget or until such time that a budget is approved.
- f. Review reconciliations of the accounts and other financial records of the Boosters.
- g. Vote on the removal of individuals from the Board of Directors or the General Membership as specified in Article III, Section 6.
- h. In the event of death, resignation, or removal of a member of the Board, the Board of Directors will select and approve a replacement to fill the unexpired term of the office in question. The proposed replacement must receive a vote of two-thirds (2/3) of the Board members present and voting.

Section 3. Officers, Directors and Their Election

- a. Each Officer, Director and Standing Committee Chairperson of the Boosters must be a member in good standing
- b. The elected Officers of the Boosters will be a President, a Vice President, a Secretary, and a Treasurer. At the Board's discretion, the duties of the Treasurer may be split; however, the new position reports to the Treasurer. Four at-large Directors, who may also serve as Chairpersons of Standing Committees, will also be elected to serve on the Board.
- c. The Treasurer must be bonded.
- d. After the elections in the spring, the outgoing officers will provide the new officers all written documentation relative to their position.
- e. The elected officers and directors will serve for terms of no more than three consecutive years in the same position beginning with the day following the Band Awards Banquet, or until their successors are elected. The nominating committee will strive to present a slate of nominees which represent a balance between new and returning officers and directors.
- f. At least one of the four Directors' positions must be filled from the Auxiliary Units.

Section 4. Elections

- a. The Board will prepare a slate of candidates for election as officers and directors and will secure the consent of its nominees to serve if elected. It will report its nominations to members in the notice of the Annual Meeting.
- b. Officers and Directors will be elected in the following manner: Officers and Directors will be elected at the Annual Meeting and will take office on the day following the spring Band Awards Banquet, see Section (3) (d).
- c. Nominations will be permitted from the floor at the annual meeting. All nominees, whether nominated by the committee or from the floor, will be members of the Boosters in good standing who have given their consent to the nomination.
- d. If there is only one nominee for each office, the membership will cast the vote to elect the Officers and Directors.
- e. Individuals of the General Membership who are members in good standing may vote in the election of officers and directors. Eligible members will be issued a written ballot for the election of officers if there is more than one nominee for any office so that the election is held by secret ballot.

Section 5. Compensation

- a. No Officer or Director will receive compensation for any service rendered to the Boosters.
- b. Voting and non-voting members of the Board may be reimbursed for actual expenses incurred in the performance of their duties with the presentation of sufficient documentation for the expenses. Except in cases of emergency, prior approval of the President shall be obtained for unbudgeted expenses.

Section 6. Removal

- a. All requests to consider removal proceedings must be initiated by, or presented to one or more Officers of the Boosters.
- b. The Board will have the authority, by two-thirds secret ballot of the Board to remove any Officer, Director or other member whose conduct is not in keeping with the policies or best interest of the Boosters. The individual in question will be notified of the time and intent of any removal proceeding.
- c. Any Officer, Director, or Standing Committee Chairperson of the board who fails to attend three (3) consecutive regular meetings of the Board without reasonable cause may be suspended pending removal and/or reinstatement proceedings. Anyone who has been removed may be reinstated by a vote of 2/3 present members of the Board.
- d. In the event of death, resignation, or removal of an Officer, a successor will be selected by the current members of the Board to serve the unexpired term of the predecessor.
- e. In the event of death, resignation, or removal of a Standing Committee Chairperson or Director other than an elected officer, the President will select his/her successor to serve the unexpired term of the predecessor.

Section 7. Duties of the Officers

- a. The President shall:

1. Preside over all regular and special meetings of the Board of Directors and the General Membership
 2. Perform such other duties as prescribed in the By-laws or incidental to the office.
 3. Coordinate the work of the Board of Directors to promote the objectives of the Boosters.
 4. Appoint the Chairmen of the Standing and Special Committees.
 5. Serve as the liaison with any other Atlee High School committees or groups, including the Atlee High School Joint Council of Boosters.
- b. The Vice-President shall:
1. Act as an aide to the President and perform other duties incidental to the office.
 2. Perform the duties of the President in his absence or disability and when so serving possess the powers of and be subject to the restrictions of the Office of the President.
 3. Serve as Parliamentarian.
 4. Serve as Chairperson of the Constitution and By-Laws review Committee.
- c. The Secretary shall:
1. Record the minutes of all regular and special meetings of the Boosters and record e-mail motions and results.
 2. Maintain a current copy of the By-Laws and ensure a copy is filed with the Band Director and Building Principal.
 3. Conduct any correspondence of the Boosters.
 4. Notify members of the Board of regular and special meetings.
 5. Serve as the custodian of all archival records of the Boosters other than the financial records.
 6. Perform other duties incidental to the office or that may be delegated to him/her.
- d. The Treasurer shall:
1. Maintain all financial records.
 2. Provide all bookkeeping services, i.e. deposits and disbursements.
 3. Provide a budget report at each Board meeting.
 4. Chair the Budget Committee
 5. Reallocate money between budgeted items if needed.
 6. File or cause to be filed the Boosters' annual tax return.
 7. File or cause to be filed any and all tax documents as required by the IRS by the applicable deadline. (i.e. form 1096 and form 1099-MISC for independent contractors.)
 8. Provide back-up files, both computer and paper, to successor treasurer at end of term.
 9. Effective June 2, 2017, disbursements (including debit card and EFT transactions) of \$3,000.00 or more, except those related to band trips paid from student account funds, will require approval of the majority of the Board, either at a Board meeting or by e-mail.

Section 8 Committees

- a. Only Booster members in good standing will be eligible to serve in any elected or appointed position.
- b. The power to form standing and special committees and appoint their members rests with the President of the Boosters. The President may create standing and special committees as he/she may deem necessary and define their responsibilities and duties to promote the objectives and carry on the work of the Boosters.
- c. The terms of the committee Chairmen and committee members will coincide with those of the elected Officers.
- d. Each Committee Chairman shall serve at the pleasure of the Board.
- e. The Committee Chairmen may be requested to present a plan of work to the President and/or the Board for approval.
- f. The President is an ex-officio member of all committees except the Nomination Committee.
- g. At a minimum, the Standing Committees will be Ways and Means, Uniform, and Membership.

Section 8.1 Duties of the Standing Committees

- a. Ways and Means Committee: will plan, conduct, evaluate, and provide for fund raising projects or other means of financial support that will furnish the income needed to finance the Boosters' efforts on behalf of the Atlee Band Department. The committee will provide final financial accounting to the Treasurer for each activity. The committee will ensure that all fund raising activities follow the rules of Atlee High School.
- b. Publicity Committee: Will acquaint the public with the facts and activities of the Atlee Band Department and the Atlee Band Boosters, using available press, radio, newspaper, television and web facilities. Other committees desiring to have their work publicized will work through and cooperate with this committee.
- c. Uniform Committee: Will monitor and maintain the uniform inventory of the Band Department and Auxiliary Units, assisting in distributing, collecting, and maintaining in good order all the uniforms stored at the Band Department.
- d. Membership: Will maintain records of all members of the Boosters and provide the Board and committees a current list of members.
- e. Pit/Stage Show: Will be responsible for coordinating, transporting, and set-up of equipment at all performances, including concerts, parades and field shows. Will maintain the large equipment used in the production of these events including the band trailers.
- f. Auxiliary: Will support guard members and the director assisting with uniforms, equipment, health and welfare of guard members.
- g. Volunteers/Chaperones: Will follow school rules on proper chaperone procedures, assist directors, carry medical supplies (and water), track hours of all volunteers donating time to support the Atlee High School band program, and assume specific duties such as uniform assistance, area clean-up, music/instrument assistance, bus behavior.
- h. Concessions: Will order, deliver, and/or prepare food and beverages for concession stand, arrange for appropriate number of volunteers to prepare, replenish, distribute and/or sell products; will maintain concession stand.

- i. Hospitality: Will coordinate volunteers to set up, decorate, and prepare food for special events; designate specific food groups to each class; clean-up areas used. Procure space to hold events either at school or off-campus.

ARTICLE IV: MEETINGS

Section 1. Board of Directors

- a. The Board will meet a minimum of six times per year. The dates will be determined prior to the beginning of the school year.
- b. Meetings will be held at the primary location of the Boosters unless changed by the President of the Boosters.
- c. A majority of the voting members of the Board will constitute a quorum.
- d. At all meetings of the Board, each Officer and Director will have one vote.
- e. Each person must be present to vote. No Officer or Director may cast a vote in proxy for another Board member.
- f. The actions approved by a simple majority vote of the Board present will be the actions of the Board.

Section 2. General Membership

- a. General Membership meetings will be held at least three times per year. The dates will be determined prior to the beginning of the school year.
- b. The spring meeting of the General Membership will be the Annual Meeting at which Officers and Directors are elected.
- c. Fifteen members in good standing of the general membership will constitute a quorum.

Section 3. Special Meetings

- a. Special meetings of the Board may be called by the President or by a majority of the Board, two (2) days' notice having been given to Board Members

ARTICLE V: MEMBERSHIP AND VOTING PRIVILEGES

Section 1. Membership

- a. General Membership in the Boosters is open to any parent or guardian with a child participating in the Band or Auxiliary Units program at Atlee High School.
- b. General Membership dues will be set annually by the Board.

Section 1.1 General Membership

- a. General membership will include:
 1. All parents or guardians who have children in the Band or Auxiliary Units of Atlee High School whose students are members in good standing.
 2. The Band Director of Atlee High School
 3. The Director of the Auxiliary Units

4. The Building Principal of the High School
5. All faculty of the Band Department
- b. A member in good standing is one who has not been removed from membership by the Board of Directors and whose dues are current.
- c. Faculty members of the Band Department, the Band Director, the Director of the Auxiliary Units, and the Building Principal are exempt from paying dues and are considered members in good standing of the Boosters.

Section 2.1 Special Memberships

- a. Special Membership will be made available to individuals who do not have children participating in the Atlee Band or Auxiliary Units but who have expressed an interest in the Band or Auxiliary Units at Atlee High School and who have a desire to support and/or assist in promoting the activities of the Band Department
- b. Special membership members will not hold an elected office, make motions, or vote on Booster business.

Section 2.Voting Privileges

- a. The privilege of holding an elected office, making motions, or voting on Boosters business will be limited to the general membership of the Boosters as defined in Article V, Section 1.1
- b. Voting on routine matters will be by voice vote; however, at the discretion of the President or a majority vote of the Board, voting may be by a show of hands of the general membership in good standing, the vote being counted and recorded in the minutes of the Boosters.
- c. A member must be present to vote; absentee voting is not allowed.

ARTICLE VI: FINANCIAL POLICIES

Section 1. Policies

- a. The Board of Directors will be the final authority in deciding all matters pertaining to the finances of the Boosters.
- b. All Boosters income will be placed in a deposit account at a bank or banks, designated by the Board.
- c. All withdrawals will be made by check, direct debit, or EFT from an official Boosters account. Account to account transfers may be made from one official Boosters account to another, i.e., savings and checking. All wire transfers must be approved by the Board prior to their occurrence. Any expenditure will be made in compliance with an approved budget or, if not in the budget, should have the prior approval of the Board of Directors.
- d. The Boosters will have the power to assess fees, i.e. bad check fees and dues as authorized by the By-Laws.
- e. Marching band operational expenses will be met by assessment and collection of marching band camp fees. Operational expenses include those expenses identified in the budget under "Marching Band Expenses." In the event that there are insufficient funds for operational expenses, the Board may vote to use "General Funds."

Section 2. Debts

- a. The Boosters will not incur any debt, but may use a credit card or line of credit for transactional purposes as long as the balance due is paid in full each month.
- b. No funds will be spent for goods, materials, or services ordered without sufficient funds in the treasury to cover the expense and any expenditure must have been previously approved in the Boosters' budget or by the Board.
- c. No debts will be incurred, nor purchases made in the name of Atlee High School or Hanover County Public Schools.

Section 3. Donations

- a. Any donation to the Boosters of financial resources, goods, services, or other materials will be the property of Atlee High School Band, Atlee High School, and the Hanover County School Board to be used for the specified purpose.

Section 4. Scholarships

The amount of the scholarships awarded will be determined by:

1. The amount of money available for scholarships after all outstanding debts of the year in which funds are not available in the Boosters Treasury.
2. The number of students requesting Continuing Education and Financial Need scholarships.
3. No scholarship will be awarded prior to a completed application being received by the band director. An independent committee determines who is awarded the scholarship.

- a. **Continuing Education** – This scholarship is for any graduating Atlee Band student that has declared and pursuing a major or minor in Music.
 - i. The amount of the scholarships awarded will be determined by a financial need scholarship committee that will be comprised of the Band Director, Treasurer and voting members of the Atlee Band Boosters Board.
 - ii. The purpose of this committee is to identify recipients and determine the distribution of available funds to a student or students.
 - iii. Conditions stated within the Student Hand Book apply.
- b. **Financial Need** – This scholarship is to assist Atlee Band students who have demonstrated a financial hardship in meeting payment of fees associated with participation in the band program.
 - i. The amount of the scholarships awarded will be determined by a financial need scholarship committee that will be comprised of the Band Director, Treasurer and voting members of the Atlee Band Boosters.
 - ii. Scholarship funds can be applied to band fees (marching and/or indoor).
 - iii. Conditions stated within the Student Hand Book apply.

Section 5. Student Accounts

- a. The Treasurer will maintain a record of student accounts.

- b. The Student Account Record will identify by individual student the amount of money credited to that student as a result of their fundraising activities.
- c. Student Account Records will be available at each Board Meeting and General Meeting for review by Board members and parents.
- d. If a student does not use the money in his account in the year in which it was collected, the money will be carried over to the next school year in that student's account.
- e. If a student has money left in his/her account upon graduation and that student has no siblings in the Atlee Band or Auxiliary student in the eighth grade year of middle school, the money reverts to a scholarship fund to be used for a student(s) demonstrating financial need. Funds received from the "financial need" scholarship must be used to offset expenses incurred by the student to help meet fees associated with participation in the band program. Scholarship fund recipient determination and distribution will be determined by committee-see Section 4 Scholarships b. of the by-laws.
- f. If a student drops band, money in that student's account will be placed in a sibling's account if applicable; otherwise, the money will be placed in a hold account in the student's name until either the student becomes active in band again or the student graduates at which time the money will revert to the Boosters' general fund

Section 6. Fiscal Year

- a. The fiscal year of the Boosters shall be from July 1 to June 30

Section 7. Audits

- a. All financial records of the Boosters will be reconciled annually and a compilation report filed with the Secretary, the Band Director, the Auxiliary Unit Director, and the Booster President.
- b. The Financial records will be reviewed and reconciled and may be audited any time there is a change in Office of the Treasurer. Such audit will be conducted by a qualified, independent party.

ARTICLE VII: PARLIAMENTARY AUTHORITY

Section 1. Amendments

- a. These By-Laws may be amended at any regular or special meeting of the Board if 30 days' notice has been provided.
- b. A 2/3 vote of the membership present is required for ratification. Absentee or proxy voting is not allowed.
- c. Amendments will be effective immediately upon adoption unless otherwise specified.
- d. The Board of Directors may vote on emergency amendments to alter these By-Laws for a period not to exceed 150 days from the date of passage.
- e. The Board will notify the General Membership of the emergency amendment at the next regular General Membership meeting.
 - 1. The Board will take appropriate action to propose a formal change to the By-Laws if such change is necessary.

2. If an amendment to the By-Laws is not proposed and passed within 150 days of the passage of the emergency amendment, the amendment will automatically expire and the By-Laws will revert to their original state prior to the emergency amendment.

Overall review/revision: 10/1/2006

Amended 3/2/2007

Amended 5/28/2008

Amended 8/6/2013

Amended 6/2/2017