

**Brighton Band Boosters
Constitution and By-Laws**

Brighton High & Middle School, Brighton, Tennessee
Effective _____, 20__

ARTICLE I
Name

The name of the Association shall be the Brighton Band Boosters.

ARTICLE II
Principal Office

The Principal office of this Association shall be located at 8045 Highway 51 South, Brighton, County of Tipton, State of Tennessee with a secondary location at 7785 Highway 51 S. Brighton, County of Tipton, State of Tennessee.

ARTICLE III
Purpose

The purpose for which this Association is formed is to:

- A. promote the development of the Brighton Band program
- B. to render assistance in the conduct of programs and activities of the band program
- C. to involve parents with participation in the music programs intended to further the educational development of their children
- D. to enlighten the community and build awareness and interest in the band development
- E. to raise funds for the special requirements of the band not otherwise provided by official sources

Said organization is organized exclusively for charitable, religious, educational, and scientific purposes, 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.

Restrictions: The Brighton Band Boosters shall not be operated for the financial profit of any person or group of persons other than the Brighton High and Middle Schools Bands. No individual will be granted any financial interest in or right to any property used, acquired or held in the operation of the Brighton Band Boosters. No part of the net earnings of the organization shall inure 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.

Donations: All donated items, such as equipment, materials, supplies, food and water are to be utilized in the manner the Band Directors decides within the program. Additionally, food and water donations may be given to outside band programs, at the Directors discretion.

For the purpose of this document, all references to the Brighton Band Boosters will be hereinafter, referred to as the Band Boosters and Brighton Band Members will be hereinafter, and referred to as Band Members. Band members are defined as students in grades 6-12, who are current participants in either the Brighton Middle School or High School band programs.

ARTICLE IV Prohibited Activities

No 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(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.

ARTICLE V Membership

Any parent or legal guardian of a band member interested in furthering the objectives of the band program, which is willing to actively participate in the programs and abide by the constitution and by-laws of the organization, shall be considered a member. Members are requested to attend as many meetings as possible; only members who have been present at 2 or more previous Booster meetings in the current school year will be eligible to vote at the April Booster meeting for Officer Elections (April meeting will not be counted as second meeting of the current school year). Each member shall be allotted one vote.

Supporters and Alumnus

Any parent, relative or legal guardian of a former band member or former Band Member interested in furthering the objectives of the band program, which is willing to actively participate in the programs and abide by the constitution and by-laws of the organization, shall be eligible for **non-voting membership**.

Social Media

All boosters, band members, and Executive Board Members are to refrain from posting defamatory, attacking, insulting, obscene, unsavory hearsay or aggressive articles involving any aspect regarding the band, including but not limited to the above mentioned parties, as well as

media members, businesses, or other band programs and associated parties. These sites include but are not limited to all Brighton Band Social media pages (i.e. Facebook, Twitter).

ARTICLE VI Officers

The governing body of the Band Boosters shall be the Executive Board, consisting of no less than ten adult members. Six will be elected officials in the positions of President, Vice-President – High School, Vice-President – Middle School, Secretary, Treasurer and Co-Treasurer. The remaining permanent board members in an advisory capacity will be the Band Directors (High School and Middle School) , Assistant Band Directors (High School), the Brighton High School Principal, or his/her designee and the Middle School Principal, or his/her designee. The Board shall be empowered to conduct the regular affairs of the Band Boosters. The duties of elected officials shall be outlined as specified herein. The term of office for all elected officers shall be one year beginning on June 1st of the year. No person shall serve in the same office for more than two consecutive years. In the event that no one is nominated or if the nomination is turned down and the present officer has served 2 years and is willing to serve another term, then this would be recognized by the body and accepted. Simultaneous membership on the Board by two members of an immediate family shall not be permitted. Immediate family refers to a Band Member’s parent(s), siblings and will also include step parent(s) . Usually step children and adopted children and their spouses are included under the purview of immediate family. Out-going officers are to return all records, keys, computers and any equipment items that were used for the sole purpose of band activities, under no circumstance should these records be shared with anyone, including spouses. Out-going Officers need to ensure that they also collect and turn in all keys from volunteer positions.

ARTICLE VII Nominations

All nominations need to be submitted **via email** to both the High and Middle school Band Directors **by midnight on 31 March**. Any member of the Band Boosters may nominate any other member for an office of the Band Booster organization. ***NOTE“ALL NOMINATIONS WILL REMAIN CONFIDENTIAL UNTIL THEY ARE POSTED”.*** *Nomination will be reviewed and approved by the High and Middle school Band Directors before being POSTED.* All nominations will be posted in both band halls and/or Band Website. The candidate must be a parent or legal guardian of a current band member and any associated band fees must be paid up-to-date to be eligible to run for office.

Below are the eligibility requirements for each office:

President - the candidate must have 2 years active participation in Brighton Band Boosters program, with 1 year being at the High School level.

Vice President-High School – the candidate must have 2 years active participation in Brighton

Band Boosters program, with 1 year being at the High School level and have a child in High School program.

Vice President – Middle School the candidate must have 1 year active participation with Brighton Band Boosters and be a Middle School band parent.

Treasurer - the candidate must have 2 years active participation in Brighton Band Boosters program, with 1 year being at the High School level, with 1 year active participation as Co-Treasurer in the program. In the event that no viable candidate is available, the 2 year participation requirement can be waived by MAJORITY of the board and the Band Director if a candidate with verifiable accounting and/or bookkeeping experience is willing to accept the nomination.

Secretary and Co-Treasurer the candidate must have 1 year active participation with Brighton Band Boosters.

Participation verification will be conducted by two current Executive Board members.

ARTICLE VIII Meetings

General Membership meetings shall be held every month during marching season with the first meeting being in July and last meeting in October. Upon completion of marching season meetings will be held every other month from December to April, with meeting dates and places to be determined by the Executive Board. Special meetings may be held as deemed necessary by the Executive Board, Band Director, or may be convened upon written request by not less than 10 active members of the Band Boosters. Attendance will be taken at each meeting to verify member participation. The Executive board meeting shall be held prior to the General meeting during the school year. The suggested order of business may be as follows:

1. Welcome new members and guests
2. Minutes of last meeting
3. Treasurer's Report
4. Committee Reports (if exists)
5. Unfinished Business
6. New Business
7. Adjournment

ARTICLE IX Elections

Officers will be elected from the membership on an annual basis by a majority vote of the

eligible Band Boosters members present at the time of the election. Only members who have been present at 2 or more previous Booster meetings in the current school year will be eligible to vote in Officer elections at the April Booster meeting (April meeting will not be counted as second meeting of the current school year). The newly elected officers shall be installed and assume their respective offices on June 1st.

Election procedures will be as follows:

Each eligible Booster member will have one vote for Executive Board officer positions.

Election ballots will be counted by both Band Directors.

All officers shall be elected by open ballot.

In the event of a tie, the current Executive Board members will, by majority vote, select the officer.

No proxy or absentee voting allowed.

Officers shall serve a term commencing June 1st and ending May 31st.

A. Vacancies in Office. In the event of a vacancy in the office of the President, the Vice President - High School shall succeed to such office for the unexpired term. Any other vacancies on the board shall be filled as follows:

1. An elective office shall be filled by vote of the membership at the next regular meeting of the organization. The MAJORITY of the board and the Band Directors may appoint a temporary replacement to fill an officer position until the next general meeting. The appointed officer will not have voting privileges until officially elected.

ARTICLE X

Duties of Officers

Executive Board members shall be above reproach, they should refrain from discussing personal matters of other Booster members outside the Executive Board. Financial matters, legal matters or other personal matters brought to the Boards attention shall remain with the Board and not discussed with anyone outside the Board. Board Members shall not belittle and/or talk negatively about any band booster member in or outside of the Band program. The Board should maintain the utmost integrity and professionalism at all times.

The duties of the officers include but are not limited to, the following:

- A. President – Chairs meetings of the band boosters and oversees the functions of other officers. Also, represents the organization to other members of the community. The President speaks for the group in providing encouragement and thanks to donors and participants inside and outside the organization. Maintains close working relationship with Band Directors and Principals.
- B. Vice President – High School – Substitutes for the President when necessary. This person is responsible for appointing a volunteer “Chairperson” to be in charge of a

given event; providing encouragement & supervision to that chairperson; seeing that needed resources and/or information are provided to the chairperson; maintaining an accurate calendar of events & list of needed resources. The Vice President may also assist the President in recruiting donations from businesses. Maintains close working relationship with Band Directors and Principals.

- C. Vice President – Middle School – Substitutes for the President when necessary. This person is responsible for appointing a volunteer “Chairperson” to be in charge of a given event; providing encouragement & supervision to that chairperson; seeing that needed resources and/or information are provided to the chairperson; maintaining an accurate calendar of events & list of needed resources. The Vice President may also assist the President in recruiting donations from businesses. Maintains close working relationship with Band Directors and Principals.
- D. Secretary – Shall keep accurate minutes of all Band Boosters and Executive Board meetings, and shall perform other such duties as may be delegated. All such material shall be filed in a specified location at the school. Shall conduct such correspondence as is designated by the President and Executive Board; shall mail or distribute notices of all general meetings; notify committees of their appointment, and read all important communications at membership or Board Meetings. Minutes of the last meeting will be available in the band office to all Booster members at least three business days prior to the next meeting.
- E. Treasurer – Shall receive and maintain responsible control of all monies of the Band Boosters; shall maintain record of receipts and expenditures; and shall disburse funds as authorized He/she shall present a typed detailed financial report at each general meeting. Minimally this report must show the Beginning balance (as of the last financial report); all checks issued; deposits made; all cash transactions; any other financial disclosures; and the current ending balance to-date (The Treasurer shall not disclose any confidential information outside the Executive board). An independent review of all band booster accounts shall be made prior to May 31st in preparation for transfer to the new Executive Board. The results of the independent review will be available in the band office. Any Band Booster may request, thru the Executive Board and Band Directors to review the Treasurer’s Accounting Records for the current or previous years. The Treasurer shall be responsible for preparation and filing of any required Federal or State tax return and any Federal or State Non-Profit Status updates. Treasurer will make available at each booster meeting the book that contains copy of credit/debit card/bank statement (if credit or debit card is used within the band booster program) with each month’s treasurer’s report. The Treasurer shall provide a current financial report which will be available in the band office to all Booster members at least three business days prior to the next meeting.
- F. Co-Treasurer – Provides assistance to the treasurer in helping with all treasurer duties.

- G. School Principals or designees – Shall provide input from a school administrative standpoint; provide advice and information to assure proper running of band booster business.
- H. Band Directors – Shall provide input as to the needs of the band and may ask for assistance (of band booster members) in many areas of band endeavors. The Band Directors shall provide guidance to the band boosters as to the overall direction of the band programs. The Band Directors also provide objectives for the long term planning of the band program and future financial needs

ARTICLE XI
Financial Policy

The boosters will operate using cash basis accounting principles. Two Executive Board members will countersign all checks. Signing board members are as follows: President, Vice President High School, Vice President Middle School, Secretary and Treasurer will have full access to account per banking policies. A detailed financial report, which will include all copies of credit/debit card receipts will be given to the Secretary at each meeting and will be on file in the band room and can be reviewed by contacting any member of the Executive Board. The Band Directors cannot buy a single line item exceeding \$250.00 without prior approval from the Executive Board Band Boosters and deemed a need item prior to a Booster Meeting. The Executive Board can approve emergency spending, but must report such spending at the next general meeting. The treasurer and/or their appointee shall be the holder of any debit cards issued to the Association. No single use of the card shall exceed \$250 without first getting concurrence of another Executive Board member. Fundraising forms and money are to be collected and counted by at least two members of Brighton Band Boosters (one being the Event Coordinator the other should be the Fundraising Coordinator, Treasurer, Co-Treasurer or their designee as long the two individuals are not related). A generated money count and/or copy of the order forms stating how much money was collected must be signed and turned in with the money to the Treasurer and/or Co-Treasurer.

ARTICLE XII
Effective Date of By-Laws

These bylaws shall become effective immediately upon acceptance by the initiating Executive Board members, who shall sign the by-laws as charter subscribers.

ARTICLE XIII
Dissolution of Corporation

In the event of dissolution of the Association, all moneys, contracts, books, or any other materials belonging to the Brighton Band Boosters, shall be turned over to the Brighton High and Middle School Principals to be applied towards the general enhancement of the Band programs. Upon the dissolution of the organization, 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 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.

ARTICLE XIV
Parliamentary Authority

The rules contained in the current edition of Robert's Rules of Order shall govern the Association in all cases to which they are applicable and in which they are not inconsistent with these by-laws and any special rules of order the Association may adopt

ARTICLE XV
Amendments

These bylaws may be revised during any general meeting providing that a 15-day prior notification of proposed amendments has been sent to the entire membership. A two-thirds affirmative vote of the members present shall be necessary for adoption. All future amendments will be provided as attachments to this document and the pages will be marked in the format "PAGE 1 of 9" denoting the current page and the total amount of pages, including attachments. This document adopted _____, 20__

This document adopted _____, 20__

Vice President -

President: _____ High School _____

Vice President -

Secretary: _____ Middle School _____

Treasurer: _____ Co-Treasurer: _____