

**AMHERST BAND BOOSTERS, INC.
BY-LAWS**

**ARTICLE I
BOARD OF TRUSTEES**

- A. The Board of Trustees, also known as the Executive Board, shall be the duly elected officers of the Amherst Band Boosters, Inc.
- B. Trustees shall be elected annually at the April Meeting.
- C. Trustees' terms shall be limited as described by Article II.

**ARTICLE II
ELECTION OF OFFICERS**

- A. Nominations will accepted from the floor at the regular Band Booster meeting in March and April of each year.
- B. As soon as the president opens nominations from the floor, any member can bring forth a nomination. A member should know beforehand if the person he/she wishes to nominate is both eligible and willing to serve. A person can also nominate himself or herself. The candidates must be members who regularly attend Band Booster meetings. In case there is only one candidate for each elective office, the candidate shall be automatically elected to the office. Where more than one candidate is nominated for an office, the election will be conducted by secret ballot. Majority vote shall elect. Voting for the election shall take place at the regular May Band Booster Meeting.
- C. All officers shall assume their duties at the close of the regular May meeting.
- D. All officers have a term of one year, with the exception of the Treasurer, which is two terms.

**ARTICLE III
DUTIES OF OFFICERS**

- A. All Officers**
 - 1. All officers shall be expected to attend regularly scheduled Executive Board meetings and general Band Booster meetings.
 - 2. Executive Board has overseeing responsibility for fundraisers, working in conjunction with the Fundraising chairperson. The Vice-President shall act as a liaison to the Fundraising committee.

3. If needed, two members of the Executive Board along with two members appointed by the membership shall conduct an audit of the financial records maintained by the Treasurer.
4. It shall be the duty of the Executive Board to address concerns regarding the performance of any Amherst Band Boosters, Inc. officer. A special Executive Board meeting will be held to discuss these concerns with the band director. It shall be the duty of the Executive Board to remove or retain the said officer. In the event of a vacancy in any Executive Board position except President, nominations for the vacated position will be accepted at the following general Band Booster meeting. If more than one candidate is nominated for the vacated office, the election will be conducted by secret ballot. Majority vote shall elect.

B. President

It shall be the duty of the President to preside over all meetings of this organization, enforce the observance of the constitution, by-laws and standing rules of order, decide all questions of order; offer for consideration all motions properly made; call special meetings; appoint any special purpose or ad hoc committees; and perform other such duties as his/her office may require. He/She shall make no motions or amendments, nor vote on any questions or motions unless the organization is equally divided. He/She shall vote only in a case of a tie.

C. Vice President

1. The Vice President shall assume the duties of the President in the event of his/her absence. In the event the President is unable to complete his/her term of office, the Vice President shall assume the position for the remainder of the term.
2. Prior to the end of the school year, the Vice President shall form summer committees including but not limited to summer car washes, band camp and lock-in, as required. He/She shall act as a liaison to the Fundraising Committee. If no one is appointed, the Vice-President shall chair this committee.

D. Recording Secretary

The Recording Secretary shall take all meeting minutes, read minutes from previous meeting and email the minutes to the Corresponding Secretary before the next executive board meeting so that it can be posted online.

E. Corresponding Secretary

1. It shall be the duty of the Corresponding Secretary to compose, assemble, and mail Band Booster newsletters in mid-June. Volunteer survey sheets are to be included in the mid-June mailing. The Corresponding Secretary shall manage the distribution, collection, and collation of the Volunteer Survey sheets and report to the membership on volunteer status.
2. The Corresponding Secretary shall receive and read all correspondence at booster meetings and shall be responsible for all correspondences covering the Band Boosters' functions.
3. The Corresponding Secretary shall post announcements, fundraisers and volunteering opportunities on current social media trends. Board Meeting Minutes will be posted monthly on the Amherst Marching Comets Website.

F. Treasurer

1. The Treasurer shall receive and deposit all monetary income of the organization and disburse all financial obligations.
2. The Treasurer shall be responsible for keeping an accurate record of income, receipts and expenditures.
3. The Treasurer shall report at each regular meeting the financial status of the organization.
4. In conjunction with the Band Director, the Treasurer shall prepare and submit to the District a budget for the upcoming school year, to be submitted during the month of September.
5. The Treasurer shall file appropriate bonding, state and federal required forms:
 - a. Annual tax return for the current year (January-December) with the assistance of a professional tax preparer or CPA, if not one himself/herself.
 - b. Prepare and submit the Ohio Division of Unclaimed Funds Reporting Form (form COM 2523 from the Ohio Division of Unclaimed Funds).
 - c. Prepare and submit Ohio Statutory Agent Update, when required (form 521 from the Ohio Secretary of State).
 - d. Initiate the renewal of the bonding policy covering all Executive Board members for a sum sufficient to protect the Band Boosters from loss, to be reviewed annually.
 - e. The Treasurer shall maintain financial records and files for the Band Boosters.

G. Bonding

Bonding is required for any individual authorized to sign checks on the Band Boosters' account. The Band Boosters' bank statement and bank reconciliation should be reviewed by at least one member of the Executive Board on a monthly basis.

**ARTICLE IV
INSTRUMENTAL DIRECTORS AND SPECIAL FUNCTION ADVISORS**

- A.** The band directors and paid staff advisors shall request funds for special projects to benefit the student music program.
- B.** They shall serve as advisors to the Band Boosters on any band related issues within the scope of the Band Boosters.
- C.** They shall make no policy nor appoint committee chairs/members for issues within the scope of the Band Boosters.
- D.** Band director shall submit names and proposed salaries to the Executive Board prior to the start of band camp. Band director is responsible for ensuring that non-District staff members meet the criteria set forth by the District including background checks and other required evaluations.

**ARTICLE V
COMMITTEES**

- A. There shall be such committees as are necessary for the administration of the business and for carrying out the purpose of this organization.
- B. Standing committees' chairpersons and members shall be appointed by the Executive Board. Chairs and members shall be drawn from annual volunteer sheets managed by the Corresponding Secretary. Chairs and members shall be announced at the July meeting.
- C. Standing committee chairpersons shall submit oral status reports to the general membership at all regular meetings.
- D. The standing committees shall be as follows:
 - 1. **Fundraising**
 - 2. **Uniforms**
 - 3. **Chaperones**
 - 4. **Football Halftime Snacks**
 - 5. **Band Banquet**
 - 6. **Senior/Parent Recognition Night**
 - 7. **Band Camp**
 - 8. **Lock-In**
- E. These committees may be changed, and new committees may be formed, at the discretion of the Executive Board. Chairpersons on the standing committees shall preside at regular committee meetings.

**ARTICLE VI
DUTIES OF COMMITTEES**

- A. **Fundraising**
 - 1. It shall be the duty of the Fundraising Committee to provide fundraising projects for the current school year.
 - 2. Fundraising projects must be thoroughly discussed and voted on at the regular Band Booster meeting before it becomes an actual fundraising project for the bands.
 - 3. It shall be the duty of the Fundraising Committee to hold regular monthly planning meetings with his/her committee members and the Vice-President.
 - 4. The Fundraising Committee chairperson provide updates on the status of active projects at regular Band Booster meetings. In the event the chairperson is unable to attend a regular

Band Booster meeting, the chairperson is expected to provide an update to the Executive Board prior to the scheduled Band Booster meeting.

B. Uniforms

It shall be the duty of the Uniforms committee to be available before and after performances to hand out and collect uniforms, to have the uniforms cleaned, stored, and repaired when necessary. One complete uniform shall be issued to each member of the marching and concert band, as applicable with records maintained as may be necessary to hold recipients responsible for their uniforms. The committee chairperson is expected to deliver updates on committee activity at regularly scheduled Band Booster meetings.

C. Chaperones

It shall be the duty of the Chaperones committee to provide chaperones for band camp, festivals, competitions, all home and away football games, and any other marching and concert band activities, as needed. The committee chairperson is expected to deliver updates on committee activity at regularly scheduled Band Booster meetings, as applicable.

D. Football Halftime Snack

It shall be the duty of the Football Halftime Snack committee to arrange a drink and/or snack for each home football game for both our band and the visiting band members. The committee chairperson is expected to deliver updates on committee activity at regularly scheduled Band Booster meetings, as applicable.

E. Band Banquet

Working in conjunction with the Executive Board and within the approved budget, it shall be the duty of the Band Banquet committee to plan and implement all activities for the annual Marching Band Awards Banquet. The committee chairperson is expected to deliver updates on committee activity at regularly scheduled Band Booster meetings, as applicable.

F. Senior/Parent Recognition Night

Working in conjunction with the Executive Board and within the approved budget, it shall be the duty of the Senior/Parent Recognition Night committee to plan and implement all activities for the annual Senior/Parent Recognition Night. The committee chairperson is expected to deliver updates on committee activity at regularly scheduled Band Booster meetings, as applicable.

G. Band Camp

It shall be the duty of the Band Camp committee to manage the day to day operations of band camp, including but not limited to the arrangement of meals, snacks, coordinate volunteers, purchase supplies, etc., as required, obtaining support from other band camp volunteers. The committee chairperson is expected to deliver updates on committee activity at regularly scheduled Band Booster meetings, as applicable.

H. Lock-In

Working in conjunction with the Executive Board and within the approved budget, it shall be the duty of the Lock-In committee to plan and implement all activities for the summer Lock-In. The budget shall not exceed the funds raised by the summer car washes, but all car wash funds need not

be spent on this event. The committee chairperson is expected to deliver updates on committee activity at regularly scheduled Band Booster meetings, as applicable.

ARTICLE VII SPENDING

A. Fund Raising

All fundraising activities must be approved by a majority of the membership at a regular Band Booster meeting. Proceeds from the fundraising activities shall be credited to the appropriate account, as applicable, and as approved by a majority of the membership at regular meetings.

B. Self-Funded Projects

A self-funded project is a project not subsidized by the Band Boosters. Self-funded projects are managed by the Executive Committee and appointees as a courtesy to the academic staff. Self-funded projects include, but are not limited to, band camp, trips, specialty uniforms, indoor winter program, shirts and merchandise, etc.

If costs associated with a self-funded project are expected to exceed the funds collected, prior approval by the Band Booster membership is required.

If funds collected exceed the costs associated with a self-funded project, excess funds are credited to the Band Booster general fund when appropriate.

C. Spending Approvals

All spending shall be approved by a majority of the membership at a regular membership meeting with the following exception:

1. Executive Board may spend up to \$75 per month on office related expenses, except when expenses are related to specific activities like band camp newsletters, or other pre-approved activities. In no case should expenditures exceed \$150 without Executive Board approval. In no case should expenditures exceed \$250 without membership approval.
2. Other business expenses related to the operation of the Booster Club are pre-authorized for the following:
 - a. Tax preparation fees
 - b. Bonding policy
 - c. Bank supplies including the re-ordering of checks and deposit slips
 - d. Fees relating to the ongoing existence of the organization as required by the State of Ohio.
3. A sunshine account shall exist for the purpose of sending cards, flowers, or similar display of sympathy in the event of a death, extended illness, etc., of a current student, current student's immediate family, academic staff, or advisory staff member. Expenditures shall not exceed \$75 per event paid for by the Booster general fund.

D. Bill Payment

No bill shall be paid without an invoice from the vendor or a receipt for the item.

E. Checks

All checks shall be signed by two bonded Executive Board members. No two members of the same household can be signers.

F. Debit Cards (Executive Board)

At the discretion of the Executive Board, two bonded members of the Executive Board may be issued debit cards for the purpose of obtaining supplies for the ongoing operation of the Booster Club and band. Debit card purchases are limited only to expenses relating to activities and funds that are pre-approved by the Booster Club membership and/or Executive Board, as appropriate. Debit card use is limited to the cardholders only. Cardholders are required to surrender and cancel the cards at the conclusion of their term.

G. Credit Card

The band director shall utilize a dedicated credit card for approved band purchases. All purchases not expressly authorized in advance shall be presented for approval at the next general Band Booster meeting. The cost of any non-approved purchases shall be borne by the director.

H. Student Accounts

Funds may be deposited into student accounts per the Amherst Board of Education policy.

Funds may be used for band-related activities including workshops, band trips, band camp, uniform expenses, etc. This account may not be used to purchase fundraising items that result in a portion of that money being returned to the student's individual account. When a student leaves the band program, remaining funds are dispersed as follows:

1. Remaining funds are transferred to a sibling entering the 7th grade or higher.
2. Remaining funds are transferred to the Band Booster general fund if there is not a younger sibling.

I. Square Account (credit card payments)

The Treasurer, and up to two bonded members of the Executive Board, along with the Director may have the Square App on their mobile devices and be given card readers for the purpose of collecting donations, fees (other than pay to play), etc. A convenience fee of 3% will be added to each transaction to offset the cost of the service. The card readers shall be returned to the Treasurer and the Square account email and passwords will be changed when a member leaves.

**ARTICLE VIII
AMENDMENTS**

- A. The by-laws may be amended at any meeting, on the condition that notice of such amendment has been given to the previous regular meeting. An amendment shall become part of the by-laws by a simple majority of the members present.

- B. By-laws shall be reviewed at least every two (2) years by the Executive Board during the month of February. Notice of amendments will be given and amendments will be read at the February meeting. Amendments will be voted on at the March meeting. Dissemination of the by-laws will be at the April meeting prior to the election of officers.

**ARTICLE IX
501(c)(3) LIMITATIONS**

- A. The Amherst Band Boosters, Inc. is organized and shall be operated exclusively for the purposes designated in Section 501(c)(3) of the Internal Revenue Code (as may be amended).
- B. No part of the Boosters' net earnings shall inure to the benefit, nor shall be distributed to its Members, Trustees, Officers, or any other private individuals. Boosters may pay to such persons reasonable compensation for services rendered and ~~may~~ make payments and distributions to such person in furtherance of the exempt purposes as described in the Articles of Incorporation, Constitution, and By-Laws.
- C. No substantial part of the Boosters' activities shall be directed to carry on propaganda, to attempt otherwise to influence legislation, or to participate or intervene in (including to publish or distribute statement) any political campaign on behalf of any candidate for public office.

**ARTICLE X
DISSOLUTION OF THIS ORGANIZATION**

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 a non-profit fund, foundation, or organization that is operated exclusively for charitable or educational purposes and which has established its tax exempt status under Section 501 (c)(3) of the Internal Revenue Code. Preference shall be given to such organization(s) whose work specifically supports the activities of Amherst Band Boosters, Inc. and its students.