

**By-Laws of the
John F. Kennedy High School Marching Band and Color Guard Parent's Club
A Non-Profit Corporation
Sacramento, California**

ARTICLE I – NAME AND PURPOSE

Section 1.01. Name. The legal name of the organization shall be the John F. Kennedy High School Marching Band and Color Guard Parent's Club ("Boosters"). The organization may also be referred to as the JFK Band Boosters, the JFK Parent Boosters, Band Boosters, Parent Boosters, or the JFKBB.

Section 1.02. Non-profit status. This organization is organized exclusively for charitable and educational purposes within the meaning of Section 501(c)(3) of the Internal Revenue Code and the non-profit corporation statute of the State of California.

Section 1.03. Purpose. The purpose of the organization is to support all of the John F. Kennedy Marching Band and Color Guard ("Band") programs including, but not limited to, marching band, color guard, concert band, pep band, jazz band, orchestra, winter percussion, winter guard, ensembles or other groups. The Boosters will achieve this by:

- A. Providing financial support to the Band by conducting fundraising activities and soliciting charitable donations;
- B. Organizing and executing various Band-related activities and events;
- C. Assisting the Band Director as needed in the planning and logistics of Band performances;
- D. Promoting the Band's activities and achievements throughout the school, district, community and beyond;
- E. Chaperoning and supervising Band students during Band-related activities;
- F. Helping the Band Director recruit new Band members;
- G. Maintaining effective communications with the Band Director and Boosters members;
- H. Stimulating a spirit of fellowship among the Boosters members, Band students and Band Director;
- I. Fostering a sense of unity between the high school and feeder middle school band programs;
- J. Providing, organizing and maintaining various supplies and equipment necessary for Band activities;
- K. Advocating for the best interests of the Band; and
- L. Executing other activities which in the opinion of the Band Director and Executive Board are necessary or advisable in furthering Band programs.

ARTICLE II – MEMBERSHIP & GENERAL BOOSTERS MEETINGS

Section 2.01. Voting members. The voting (“active”) membership of this organization shall consist of all parents or guardians of Band students currently participating in the Band programs at John F. Kennedy High School. Voting membership ends upon the student’s disenrollment or separation from participation in the Band program.

Section 2.02. Non-voting members. The non-voting membership of this organization (“honorary members”) shall consist of persons who have contributed or wish to contribute to the objectives of the organization. Honorary membership may be granted upon recommendation of the Executive Board, and voted upon by the membership. Honorary membership may be terminated at the discretion of the Executive Board.

Section 2.03. General meetings. General Booster meetings shall be scheduled monthly. The August meeting will be held during Band Camp Week. Additional meetings may be called by the Executive Board. Meetings may also be rescheduled or cancelled by the Executive Board. Any changes to the meeting schedule must be communicated in a timely manner to the membership.

Section 2.04. Quorum. The quorum for general meetings shall be ten members of the organization, including two of the following: President, Vice President, Secretary, or Treasurer.

Section 2.05. Parliamentary Procedure. Parliamentary Procedure shall be used to conduct meetings of the Boosters and Executive Board.

ARTICLE III – OFFICER ELECTIONS & TERMS OF OFFICE

Section 3.01. Officers. The Officers of the organization shall be President, Vice President, Secretary and Treasurer.

Section 3.02. Nominations. The Board will appoint a nominating committee in January pursuant to Article VI.

Section 3.03. Qualifications. Officers must have a child participating in Band for the duration of the term of office.

Section 3.04. Elections. Election shall be by a simple majority no later than the May meeting, provided a quorum is present. If there is only one candidate running for an office, the vote may be done by voice vote and recorded as such in the meeting minutes. All other voting will be conducted by ballot vote, and counted by a member of the nominating committee.

For continuity, Officers shall be elected in alternating years. The President and Secretary shall be elected in even years, and Vice President and Treasurer shall be elected in odd years.

Section 3.05. Terms. Officers shall serve a two-year term and may serve no more than two consecutive terms in the same office. The term shall begin June 1 in the year they were elected and terminate on May 31 two years later. For continuity, outgoing Officers shall attend the June Board meeting to effect a smooth transition to incoming Officers.

Section 3.06. Co-Officers. Any position on the Executive Board may be shared by two individuals as Co-Officers. Co-Officers must be nominated and elected as Co-Officers, and shall serve the same term of office unless their different terms of office are approved by the Booster membership when the prospective Co-Officers are elected. In the event two members agree to serve as Co-Officers, they may divide the duties of the office between them as they deem appropriate, but each co-officer shall remain responsible for all duties of the office. Only one vote will be recorded for a position held by Co-Officers. If one co-officer resigns or is removed from office, the remaining co-officer shall continue to serve as the sole officer in that position of the duration of his or her elected term.

Section 3.07. Vacancies. If there is a vacancy in the office of the President, the Vice President will become the new President. If there are any other vacancies in elected offices, the executive board shall appoint a replacement to complete the remaining term. Once an appointed term is expired, that officer can still be elected to serve up to two terms in the same office.

Section 3.08. Removal from office. In the event that any officer fails to fulfill the responsibilities of the position stated in the bylaws, the Executive Board will issue a written warning detailing the areas of concern. The warning shall be approved by a majority vote of the other Executive Board members and Band Director. If the officer fails to address the issue within 30 days, the Executive Board shall vote to remove the officer. Results are effective immediately.

An Officer may also be removed for cause by a majority vote of the other members of the Executive Board and upon approval of the Band Director. Cause may include, but not be limited to, malfeasance, dishonesty or any other action which is harmful to the organization or the Band program. In that case, removal will be effective immediately, without a written warning.

ARTICLE IV – EXECUTIVE BOARD

Section 4.01. Membership. Voting members of the Executive Board shall consist of the four Officers elected by the membership, and any Members-at-Large appointed by the Executive Board and voted on by the membership. The Band Director shall be a non-voting ex-officio member of the Executive Board.

Section 4.02. Quorum. A quorum for Executive Board meetings shall be three members.

Section 4.03. Duties. Duties are specifically described below for each Officer. With mutual consent, it is the Board's desire to operate with intentional flexibility to shift duties among the Board as needed and where appropriate, to best match tasks with Officers' subject matter expertise and interests. Duties may also be delegated to a Member At-Large or a committee at the discretion of the Board.

Section 4.04. Fees and Compensation. Officers shall not receive any compensation for services rendered, except that Officers may be reimbursed for expenses that are incurred in the performance of their duties, in reasonable amounts as approved by the Board.

Section 4.05. Non-Liability of Officers. Officers shall not be personally liable for the debts, liabilities or other obligations of the Boosters.

A. The Executive Board:

1. Shall meet monthly, or more or less often as needed.
2. Shall dedicate the June meeting as a combined meeting with the incoming and outgoing board for transition and continuity purposes.
3. Shall coordinate its activities with the Band Director.
4. Shall carry out the stated purposes of the organization as outlined in Article I.
5. May take actions typically transacted at Board meetings without a meeting if consent is granted in writing by all members of the Board.
6. Shall organize committees including but not limited to Ways and Means (Fundraising events and activities), Social Media (Facebook, Photographer, Videographer, Website), Hospitality (Band Camp, Rehears-a-thon, Field Shows, Pizza Runner) and Operations (Pit Crew, Prop Crew, Uniforms).
7. Shall serve as the Budget Committee and present a proposed budget for approval by the general membership at the first Booster meeting of the new school year.

B. The President:

1. Shall preside at and set the agenda for all Executive Board meetings and Booster member meetings.
2. May call a special meeting of the Executive Board at any time.
3. Is authorized to co-sign all checks appropriately presented for payment by the Treasurer.
4. Shall act as the organization's representative for purposes of consulting and coordinating with the Band Director, principal, and school district in other matters as appropriate unless the President designates a different representative.
5. Is authorized to approve and sign documents on behalf of the organization, including contracts, correspondence, tax returns, legal or business-related filings, or any other necessary transactions.
6. Shall provide oversight of committees as needed to equalize workload in collaboration with the Vice President.
7. Shall serve as an ex-officio member of all committees, as outlined in Article VI below.

C. The Vice President:

1. Shall preside at all meetings in the absence of the President.
2. Shall assume the duties of President if the President is unable or unwilling to perform his or her duties for any reason.
3. May be authorized to co-sign all checks appropriately presented for payment by the Treasurer.
4. Shall assist the President in all activities of the organization.
5. Shall provide oversight of committees as needed to equalize the workload in collaboration with the President

D. The Secretary:

1. Shall record minutes of monthly Boosters meetings and present those minutes for approval at the next Booster meeting.
2. Shall record minutes of Executive Board meetings.
3. Shall maintain a permanent file of all meeting minutes.
4. Shall maintain the Band's membership roster and email distribution lists, and is responsible for all written and electronic communication to members.
5. Shall be responsible for official Boosters correspondence such as thank you notes and acknowledgments of sponsor donations.
6. Shall maintain current and past copies of the bylaws, and make amendments to the document as needed per Article VIII below.

E. The Treasurer:

1. Shall ensure all financial activities are done in compliance with the approved financial procedures outlined in Article V below.
2. Shall keep accurate records of any disbursements, income, and bank account information.
3. Shall promptly pay any bills presented for payment authorized under the budget or approved by the Executive Board.
4. Shall promptly deposit all payments in the Boosters bank account(s) and maintain an accurate balance of the account(s) at all times.
5. Shall present a treasurer's report at each monthly Boosters meeting.
6. Shall present monthly bank account reconciliations and a year-end financial statement to the Executive Board.
7. Shall complete and submit the required annual filings including but not limited to:
 - a. Federal Tax Forms to the IRS,
 - b. California Tax Forms to the California Franchise Tax Board
 - c. Business Entity Annual Report to the California Secretary of State.
 - d. Charity Registration Forms to the California Attorney General.
8. Shall present a draft annual budget to the Executive Board for review and approval at the August Board meeting.
9. Shall maintain and report student Fair Share (participation fee) records.
10. Shall maintain the permanent financial records at the end of each fiscal year.

ARTICLE V – FINANCES

Section 5.01. Fiscal year. The fiscal year for the organization is September 1 – August 31.

Section 5.02. Bank accounts. The Treasurer shall maintain and keep records for the Boosters checking account. Additional accounts may be operated if approved by the Executive Board.

Section 5.03. Disbursements. Documentation must be provided for each disbursement, which can consist of an invoice, an email, or copies of receipts for reimbursement. The Executive Board shall approve all expenses.

Two authorized signatures are required on all disbursements. Authorized signatures shall be the President, Vice President and Treasurer. Married couples cannot co-sign. In the event that two of the approved signatories are married, an alternate signatory can be approved from and by the Executive Board for the duration of the term.

Payments made by cash must be properly documented in order to maintain record of the transactions.

Section 5.04. Deposits. All items received for payment shall be endorsed “For Deposit Only” along with the respective account number and deposited to the appropriate Boosters bank account.

Section 5.05. Financial reports. The Treasurer shall present monthly bank account reconciliations and a year-end financial statement to the Executive Board and Band Director.

Section 5.06. Financial records. No officer or director shall copy or cause to be copied, distribute or cause to be distributed, any financial record or report to any person without the consent of the Executive Board.

Section 5.07. Financial filings. The Treasurer shall file annual tax returns and other documents as appropriate.

ARTICLE VI – COMMITTEES & MEMBERS-AT-LARGE

Section 6.01. Nominating Committee. The Executive Board shall appoint and announce a Nominating Committee in January. The chairperson of the committee shall be elected from the members appointed by the Board. The Committee will present a slate of candidates for each open office at the March general meeting. Officers can also be nominated by any voting member at the March meeting. Nominations shall be publicized to the membership prior to holding elections during the May meeting.

Section 6.02. Other Committees. The Executive Board may create other standing and special committees referenced in Article IV or as it may deem necessary to promote the objectives and carry on the work of the organization. Any member of the organization may serve on a committee. Committee chairs will be appointed by the Executive Board and must be voting members. The President shall serve as an ex-officio member of all committees.

Committees shall provide a report at each monthly boosters meeting as needed. Committee chairs shall keep an accurate record in writing of expenses, parties contacted, methods of operation and other important information in a year-end or end-of-event report presented to the President for purposes of continuity.

Section 6.03. Members-at-Large. The Executive Board may nominate Members-at-Large at any time to serve on the Executive Board. Nominees for Member-at-Large positions will be voted on at the next monthly boosters meeting, by majority vote. The term is one year, which can be renewed with no limits at the discretion of the Executive Board. Members-at-Large will be voting members of the Executive Board. Their duties will be ad hoc depending on the needs of the organization.

Section 6.04. Audit Committee. The Executive Board shall appoint an Audit Committee by November each year to conduct an annual audit of the organization's financial records comprised of three (3) appointed members who do not have authority to sign checks. The audit will be completed no later than three (3) months post fiscal year end and the findings of the audit shall be presented to the Executive Board in December and reported to the general membership.

ARTICLE VII – FUNDRAISING

Section 7.01. Fundraising approval. All fundraising shall be approved by the Executive Board.

Section 7.02. Collection of funds. The President or Treasurer shall be responsible for collecting all funds, unless another member is delegated to be responsible. All funds must be presented to the Treasurer for deposit and recordkeeping.

ARTICLE VIII – AMENDMENTS

The By-Laws may be amended by a majority vote at any regular or specially called meeting of the membership, provided that a quorum is established. Notice of the proposed amendment shall be filed with the Secretary of the organization and a copy either presented to the general membership at the meeting preceding the one at which it is to be considered for adoption, or distributed by email or posted on the Band's website approximately one week prior to the meeting at which it is to be considered for adoption.

ARTICLE IX – DISSOLUTION

Section 9.01. Dissolution approval. If at any time the organization is not fulfilling its stated purpose, the Band Director may recommend to the principal that the organization be dissolved.

Section 9.02. Distribution of Assets. Upon dissolution of the organization, the Executive Board, after paying or making provision for payment of the liabilities of the organization, shall distribute all of the assets of the organization to a nonprofit fund, foundation or corporation which is operated exclusively for charitable and educational purposes and which has established its tax exempt status under Section 501(3)(c) of the Code.

Presented to the John F. Kennedy High School Marching Band and Color Guard Parent's Club for review and approval on September 12, 2017