

# NORTH MARION HIGH SCHOOL (NMHS) BAND BOOSTERS BY-LAWS

Revised May 2023

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## Article I – Name

The name of this organization shall be “North Marion High School (NMHS) Band Boosters”

Throughout these by-laws, the expression “Boosters” shall denote North Marion High School Band Boosters. “Band” shall denote the North Marion High School Band and color guard and “Director” shall denote the current North Marion High School Band Director.

North Marion High School Band Boosters  
1 North Marion Drive  
Farmington, WV 26571

## Article II – Objectives

The purpose of this organization is to accomplish the following objectives:

1. To help the director develop and grow the band to reach their full potential.
2. To build and operate a group of parents and interested individuals willing to provide all possible financial, physical and moral support to the director. All such support will be rendered in a cooperative environment and subject to the authority of the director.
3. To ensure that all organization support efforts are conducted under the guidance of and in accordance with the stated needs of the director as approved by the school principal.
4. To generate and maintain a high level of excitement and supportive interest in the continued growth of the band program as it is developed and operated by the existing director.
5. To ensure the organization does not attempt to function in the role of the administrative decision maker concerning the design and operation of the instrumental music program by the director.
6. To raise funds for instrument purchase/repair, trips, band camp expenses and other necessities as deemed needed by the director to ensure continued growth of the band program.

## Article III – Membership

The membership of this organization is open to any individual interested in and willing to work in support of the continued growth and development of the band. Members who actively participate in the organization shall have voting rights. For incoming freshman or new student parents, the mandatory parent meeting shall constitute active participation and voting rights will be permitted. In the event there is a question, the executive board shall determine active status.

The Drum Major and/or Field Commander shall be permitted to attend the booster's meetings as a student representative. Any student that has a representative at the booster meeting (non executive board), other than themselves, shall be awarded 5 credits toward their student account per regularly scheduled meeting, not to exceed 20 credits per academic school year.

Any executive board member missing a total of three meetings unexcused or if a position becomes vacant or is forfeited, will be replaced by the following steps: A protemp will be appointed at the discretion of the executive board until a permanent replacement has been properly elected. To complete this election, the executive board will meet at a special meeting or the next regularly scheduled meeting to discuss this potential replacement, made up of candidates from the prior election. If the candidates do not accept, then a special nomination and vote will take place at the next business meeting.

In the interest of the safety of the students and welfare of the group, any potential illegal activity suspected by a member of the organization shall be reported to the appropriate authorities by the president or director and dealt with accordingly.

The booster's organization will meet on the first Tuesday of every 3 months in the band room or virtually unless a band function or school cancellation interferes. If this is the case, it will be moved to the next

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available Tuesday. A special meeting may be held if warranted. The executive board will meet monthly on the first Tuesday in the band room or virtually. Executive board members are to participate in all meetings in person unless otherwise exempted by the Booster President or Director.

## Article IV – Officers

Section I – The officers of this organization shall be: President, Vice President, Secretary, Treasurer and Co-Treasurer.

### Section II – Officer Responsibilities

#### 1) President

- i) Represent the Band at all external meetings and events, when possible.
- ii) To preside over all executive board and general membership meetings.
- iii) To serve as the principal contact between the boosters, director, and school administration.
- iv) Solicit volunteers for each committee. If a committee cannot decide upon a chair, he/she will select a chair.
- v) Will vote on any issue only to break a tie.
- vi) To call a special meeting when necessary.
- vii) Maintain a roster of all band students and have contact information available upon request.
- viii) Help coordinate recruitment of incoming students.
- ix) Conduct an annual membership orientation.
- x) Serve on a committee of his/her choosing.
- xi) Prepare an end-of-year report to assist the incoming President. The report should be submitted no later than June 15th.
- xii) Make purchases for events and supply needs. Purchases that are not of emergent nature, must first be approved by the executive board.

#### 2) Vice President

- i) In the absence of the President, to accept and discharge all the responsibilities of the President's office.
- ii) Complete First-Aid Inventory annually and submit needs to the treasurer for purchase.
- iii) Coordinate the organization of and volunteer recruitment for all events and activities.
- iv) Coordinate band support, to include chaperones and itineraries for major out-of-town trips.
- v) Serve on a committee of his/her choosing.
- vi) Prepare an end-of-year report to assist the incoming Vice-President. The report should be submitted no later than June 15th.
- vii) Make purchases for events and supply needs. Purchases that are not of emergent nature, must first be approved by the executive board.

#### 3) Secretary

- i) To record complete minutes for all meetings and submit them to the director within 7 days of said meeting.
- ii) Make minutes available online or through email if requested.
- iii) Process all incoming and outgoing correspondence.

- iv) Assist the Director in administering and filing applications for Honors Band, All State Band, and such.
- v) Serve on the publicity committee by making the public aware of special awards, achievements, and upcoming events.
- vi) Update and maintain the by-laws as voted on.
- vii) Update and maintain the band calendar with the Director.
- viii) Maintain a calendar/schedule of all concession stand workers needed and verified.
- ix) Prepare an end-of-year report to assist the incoming Secretary. The report should be submitted no later than June 15th.

4) Treasurer

- i) Maintain up-to-date financial records, including general fund, student account, scholarship account, and uniform account balances, keeping a full detailed and accurate account of receipts and expenditures.
- ii) Make reports available through email or online, showing band total as well as student account totals.
- iii) To collect all funds after each event, excluding the concession funds (handled and placed in lock-box by the concession chair or co-treasurer).
- iv) Responsible for the safekeeping of all funds, making timely and accurate deposits.
- v) File and pay all fees in a timely manner.
- vi) Signing financial documents when needed.
- vii) Two signatures are required on each check written, one being the Treasurer, the other may come from the Co-Treasurer, President, Vice President or director.
- viii) Create an expenditure/income report for all concession activity in conjunction with concession chair and co-treasurer.
- ix) Give a monthly report of the financial condition to the board.
- x) Filing all year-end tax returns.
- xi) Meet with the director once a week on an agreed upon day to collect money from the lock-box.
- xii) Annually deposit 10% of all profit making revenue, not to include student account credit earnings, into a uniform/instrument account.
- xiii) Annually deposit 3% of all profit making revenue, not to include student account credit earnings, into a student scholarship account. Scholarship account is not to exceed a total of \$1,000.
- xiv) Required to go to Band Camp.
- xv) Serve on the fundraising committee.
- xvi) Prepare an end-of-year report to assist the incoming Treasurer. The report should be submitted no later than June 15th.
- xvii) Make purchases for events and supply needs. Purchases that are not of emergent nature, must first be approved by the executive board.

5) Co-Treasurer

- i) In the absence of the Treasurer, to accept and discharge all the responsibilities of the Treasurer's office.
- ii) Assist the Treasurer on collection of dues as needed.

- iii) Co-sign checks as needed.
- iv) Hold the Treasurer accountable by meeting monthly to discuss current numbers prior to the financial report being given to the board.
- v) Serve on a committee of his/her choosing.
- vi) Prepare an end-of-year report to assist the incoming Co-Treasurer. The report should be submitted no later than June 15th.

Section III – Officers shall be elected for a one-year term and may succeed themselves multiple times as long as they are properly fulfilling their duties.

Section IV – If an officer is not properly fulfilling their duties, an impeachment may be requested by any member of the organization in good standing. This request must be in writing and submitted to the Director. The Director will then consult the executive board, who will act on this request before the next scheduled business meeting. A 3/4 majority vote must be passed by the executive board and then the remaining booster membership at the next meeting. These votes must be by secret written ballot.

Section V - No agreement/communication made by the executive board or other members of the boosters will be considered to be the full booster's position until it has been approved by a majority vote.

Section VI - Any actions of the executive board must be presented to the entire organization for approval at the next regularly scheduled meeting except in emergent situations constituting a timely decision.

## Article V – Elections

Section I – Before the May meeting, the President shall consult the election committee. This committee will be responsible for coordinating the election process and will consist of a minimum of three booster members in good standing.

Section II - At the May meeting, the election committee will open the floor for nominations and poll nominations to determine willingness to serve as officers if elected.

Section III – The election committee will be responsible for collecting and tabulating votes at the mandatory parent meeting held at the end of May or beginning of June. The committee will not consist of any nominated persons. In the case of an election committee member being nominated, the tabulation would default to the director.

Section IV – Members must be present to vote. Each position shall be voted on independently.

Section V – Newly elected officers and committee members will take office July 1st. Newly elected officers and committee members will meet with outgoing officers and committee members between the regular June and July business meeting to discuss issues and prepare the annual budget proposal.

## Article VI – The Executive Board

Section I – The executive board shall be composed of the elected officers of this organization and the Director.

Section II – The executive board shall meet prior to each booster’s business meeting for the specific purpose of developing an agenda of business to be conducted at the regularly scheduled meeting. It shall develop and present to the business meeting an open-ended agenda for the conduct of such meetings. Minutes of executive board meetings shall be kept and shall be maintained as part of the permanent records of this organization.

Section III – The executive board shall develop annually a twelve-month planning calendar of known events, activities, fundraising and other special projects. This calendar shall be presented to the organization at the first scheduled business meeting of the school year for discussion and adoption as the annual plan of action for this group.

Section IV - The executive board is hereby empowered to function as an emergency decision-making authority for this organization in situations where insufficient time exists to convene a meeting of the organization for discussion and decisions concerning the matter at hand.

Section V – Each executive board member shall be entitled to one vote except the President who will only vote in the case of a tie. Executive board voting by proxy shall be permitted only in emergent situations in which the individual cannot be present either physically or virtually.

Section VI – Special meetings of the executive board (which constitute suspected high crime and misdemeanor activity) may be called by the President and shall be called by the President or Secretary at the direction of no less than two executive board members then in office, or as may otherwise be provided by law. Such meetings shall be held at the principal office of this organization, unless otherwise directed by the executive board and stated in the notice of the meeting, in which case the meeting may be held at any place within or without the state of West Virginia. Any request for such a meeting shall state the purpose(s) or purposes of the proposed meeting. Notice of any special meeting of the executive board shall be given at least ten (10) days previously there to by written notice to each executive board member at his or her address. Notice of any special meeting of the executive board may be waived, in writing, signed by the person(s) or persons entitled to the notice either before or after the time of the meeting. The attendance of a Director at any meeting shall constitute a waiver of notice of such meeting, except where an executive board member attends a meeting for the express purpose of objecting to the transaction of any business because the meeting is not lawfully called or convened. The purpose of any special meeting of the executive board shall be specified in the notice of such meeting.

## Article VII - Standing Committees

Section I – There shall be the following standing committees: Fundraising, Concession, Uniform, Publicity Truck/Equipment, Pit/ Prop/Sideline, election, and other such committees as the executive board shall determine.

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- 1) *The Fundraising Committee shall consist of a chairperson plus a minimum of 2 other members and such additional members deemed necessary by the chairperson and director.* This committee shall:
  - a) Submit fundraising activities and dates to the director no later than July 1st to be submitted to the financial secretary of North Marion High School for authorization to proceed.
  - b) Organize and lead any and all fundraising efforts decided/voted upon by the organization.
  - c) Prepare an end of the year report to assist the next chairperson. The report should be submitted no later than June 15th.
  
- 2) *The Concession Committee shall consist of a chairperson or "Concessionaire" and a minimum of 2 co-chairpersons or "Co-Concessionaires" plus additional members deemed necessary by the chairperson/co-chairpersons and director.* This committee shall:
  - a) Create a sign-up list for band camp meetings and get student/parent volunteers to work concessions.
  - b) Work alongside the chairperson to be responsible for the supervision and cooperation of concessions with other members as may be appointed.
  - c) Track sales and student volunteers and place in the treasurer lock-box located in the band office after every event.
  - d) Submit orders for supplies as needed and place receipts in the treasurer lock-box within five business days of the purchase. Prepare an end-of-season concession stand inventory to be submitted to the treasurer no later than December 1st in order for the 10% of concession profit to be calculated and paid to the school.
  - e) Prepare an end of the year report to assist the next chairperson/co-chairpersons. The report should be submitted no later than June 15th.
  
- 3) *The Uniform Committee – shall consist of a chairperson plus 1 other member and such additional members deemed necessary by the chairperson and director.* This committee shall:
  - a) Be present at summer practices to size and fit uniforms to the band and guard members.
  - b) Arrange to have uniforms altered as needed.
  - c) Shall arrange to have uniforms cleaned twice a year.
  - d) Have at least one member available at all performances in the event some uniform needs altered/repaired.
  - e) Prepare an end of the year report to assist the next chairperson. This report should include uniform inventory and condition. The report should be submitted no later than June 15th.
  
- 4) *The Publicity Committee - shall consist of a chairperson and such additional members deemed necessary by the chairperson.* This committee shall:
  - a) Create social media events, flyers, etc.
  - b) Assist in the process of keeping up to date with the band website.
  - c) Take photos and videos.
  - d) Prepare an end of the year report to assist the next chairperson. The report should be submitted no later than June 15th.

- 5) *The Truck/Equipment Committee – shall consist of a chairperson and such additional members deemed necessary by the chairperson and director.* This committee shall:
  - a) Be responsible for any maintenance needed for the instrument truck/trailer including oil changes, tires, etc.
  - b) Get the truck inspected and maintain registration and insurance (boosters will reimburse if a check cannot be made at time).
  - c) When possible, drive or find a driver for the truck to any away performance.
  - d) Assist with the loading and unloading of equipment/instruments as needed.
  - e) Prepare an end of the year report to assist the next chairperson. The report should be submitted no later than June 15th.
  
- 6) *The Pit/Props/Sideline Committee – shall consist of a chairperson and such additional members deemed necessary by the chairperson and director.* This committee shall:
  - a) Procure and maintain band equipment as necessary, coordinating needs with the Director. Mostly involving pit equipment and props.
  - b) Move podium and pit equipment on and off the field.
  - c) Prepare an end of the year report to assist the next chairperson. The report should be submitted no later than June 15th.

Section II –Members may remain on committees as long as their desire is to support the band program at North Marion High School. If Committee Members do not conduct themselves properly or do not act in the best interest of the band Program, they may be removed by a vote of the executive board. At least one member of each committee shall be appointed as the chair by the members. If this cannot be done, the president will appoint one. Each Committee Chair will bring all proposals in writing to the executive board for approval prior to implementation. Each Committee Chair will report at regular booster meetings as needed.

## Article VIII – Finance

Section I- The Treasurer shall be required to prepare a financial report at the close of his or her term and to file copies of such report with the executive board and with such other internal or external groups or individuals as the executive board shall direct. The annual financial report shall become a part of the permanent organizational record.

Section II – The books of the Treasurer shall be audited at least annually by an auditor approved by the executive board. The annual audit shall be conducted during the month of June and is to be completed before changing of officers July 1st.

Section III –Ten percent of all profit-making revenue (excluding student account fundraising activities) shall be deposited in a perpetual savings account annually for the express purpose of uniform and instrument needs. Funds from this account may only be withdrawn with four (4) of the five (5) before mentioned executive board members voting in favor of fund use for the purpose(s) of uniform and instrument needs.

Section IV – An emergency fund will be set up based upon the yearly budget to be used in case of medical or mechanical emergency during a band trip. Authority to approve expenditure shall be granted by the director and one board member. The responsible party who has the authority to make an expenditure on the booster’s behalf will be reimbursed full payment of the provided receipt.

Section V- Any expenditure not covered in the annual operating budget, must have full executive board approval; regardless of amount.

Section VI – Ten percent of the net profit of concession earnings at home soccer and football games will be given to NMHS Athletic Board to be placed in the stadium fund .

Section VII – All financial reports, bank statements, ledgers, medical forms, etc. will be kept in the designated filing cabinet in the director’s office or the Google Drive connected to the band email.

Section VIII – All deposits will be made with a cash deposit count sheet verified by the treasurer and another individual s.

Section IX – The Treasurer cannot reimburse themselves with a check or cash on their own. Another officer needs to sign the check or reimburse the Treasurer.

Section X - A student leaving the band may request their account balance be transferred to another student or to the scholarship account if it is submitted in writing within 30 days of graduation/announcing they aren’t returning. If a student has an immediate family member leave the band, their account balance will be immediately transferred to said student unless a written request says otherwise. If a student leaving the band does not request a transfer, their account credits will go directly to the band’s general fund.

Section XI - Three percent of all profit-making revenue (excluding student account fundraising activities) shall be set aside annually before the 8th grade band mixer for the express purpose of student scholarships. The set aside money shall be placed in a scholarship account and shall not exceed \$1000. Funds placed in this account from graduating or non-returning members may be given as prizes at the 8th grade mixer. Four prizes of \$150 will be the maximum allowed to be given. In order to be eligible during other times, the student in need of scholarship funds must have shown effort to raise the money on their own with fundraisers and concession working when applicable. Funds from this may only be withdrawn with four (4) of the five (5) before mentioned executive board members voting in favor of fund use for the purpose(s) of helping a student meet payment needs.

Section XII - Any student, or their proxy, requesting financial assistance shall present the request in writing to an executive board member prior to July 1st in order for the board member to discuss the request on their behalf at the July executive meeting.

## Article IX - Outside Of Office Responsibility

Section I - Responsibility of parent and students working concession stands:

It is required that at least one parent/guardian or proxy work one varsity concession.  
Parents/guardians and students are also asked to work non-varsity concessions (soccer, JV,

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Husky Pups). By participating, your child will earn credits toward trips/band camp. By the end of the concession season, you are required to earn at least 40 credits from working concessions into your student's account. Credits for the events not worked will be taken out of your child's account like a fee/fine as credits are put in the account from fundraisers that students participate in until debt is paid to the boosters. If a student account is empty upon graduation and credits are still owed to the boosters for concessions not worked by parent and student, this fee will have to be paid before your child's graduation.

There will be a sign up for concession dates and times.

- Scrimmage game -20 credits half day 40 credits all day, parents and students.
- Varsity games -20 credits a game for parents or guardians.
- Soccer, JV, Husky pups -10 credits parents or guardians, 5 credits Students.

*(All credits earned will be put into a student account, 1 credit is equal to \$1)*

#### Section II - Responsibility of parent and students working fundraisers:

If a student is being asked to participate in a fundraiser that does not place credits into their student account and has the sole purpose of earning money for the band, they will be required to participate in said fundraiser. If participation does not occur, the student account will be charged a fee of 20 credits to make up for the money not earned. If a student account is empty upon graduation and credits are still owed to the boosters for required fundraisers not worked by parent and student, this fee will have to be paid before the child's graduation.

#### Section III - Responsibility of parent Working committees:

It is required that each student have a parent/guardian representative or proxy on at least one committee or executive board of the boosters. If participation does not occur, their student account will be feed 20 credits. If a student account is empty upon graduation and credits are still owed to the boosters, this fee will have to be paid before the child's graduation. There will be a sign up for committees at the mandatory parent meeting. Committees will meet at the first following booster meeting and will determine a committee chair at that time. Committee chair will then be in direct contact with the booster's executive board and will schedule meetings with the committee as needed at the discretion of the executive board. Committees available for sign up are as follows:

Fundraising	Concession	Uniform	Publicity	Truck/Equipment
	Pit/Props/Sideline Crew		Election	

### Article X – Quorum

Section I –A majority of the members in attendance shall constitute a quorum at business meetings. A majority of the executive board shall constitute a quorum at executive board Meetings.

### Article XI - Authority

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Section I-The rules contained in “Robert’s Rules of Order” shall govern this organization in all cases in which they do not conflict with the rules of the organization.

<https://www.ulm.edu/staffsenate/documents/roberts-rules-of-order.pdf>

Section II - The Accounting Procedures Manual for the public schools in West Virginia, specifically Chapter 2 – Parent-Teacher Associations, Booster Groups and Other School Support Organizations, Page 29-37 at the attached link shall govern this organization in all cases in which they do not conflict with the rules of the organization.

<https://wvde.us/wp-content/uploads/2017/10/68-8619-23903-2012-07-13-15-07-46-932.pdf>

## Article XII – Amendments

Section I- The By-Laws may be amended by a two-thirds majority vote of the members present at any regular business meeting. The amendments may be proposed by any organization member and must be presented in documented writing to the executive board in the form of a motion prior to the meeting where the vote is being held.

## Article XIII – Dissolution

The North Marion High School Band Boosters, hereafter referred to as NMHSBB may be dissolved only with authorization by its executive board given at a special meeting called for that purpose and with subsequent approval by a two-thirds vote of the voting members. Upon dissolution or other termination of the NMHSBB, all remaining assets of the NMHSBB, after payment in full of all of its debts, obligations, and necessary final expenses, or after making of adequate provisions therefore, shall be distributed to such tax-exempt organizations (with similar purposes to those of the NMHSBB) as shall be chosen by the then existing executive board.