

# **Stephenson High School Band Boosters, Inc.**

## **Bylaws**

**Adopted April 26, 2012  
Effective May 31, 2012**

Stephenson High School Band Boosters, Inc.

Bylaws

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# **Stephenson High School Band Boosters, Inc.**

## **Bylaws**

### **Article I: Name**

The name of this organization shall be Stephenson High School Band Boosters, Inc. herein referred to as SHSBB.

### **Article II: Purpose and Objectives**

#### *Section 2.1: Purpose*

SHSBB is formed exclusively for purposes within the meaning of 501(c)(3) of the Internal Revenue Code (or the corresponding provision of any future United States internal revenue law). Specifically, the purpose of SHSBB is to provide support to the students and directors in all aspects of the band program and provide coordination and organization of band activities, which enrich the band program located at Stephenson High School, 701 Stephenson Rd, Stone Mountain, Dekalb County, Georgia, 30087.

#### *Section 2.2: Objectives*

The objectives of the SHSBB, Inc. include, but are not limited to:

1. Assisting the directors in maintaining an enthusiastic interest in the band by the students and the community;
2. Cooperating with those in charge of the instrumental music program so that the band can be kept at the highest level of quality;
3. Assisting in the purchase of music and equipment not regularly allocated for the band program by the county and/or local school budget(s);
4. Assisting the directors in planning and implementing band activities (i.e. trips, concerts, parades, festivals, etc.); and
5. Assisting the directors in the management, maintenance and distribution of band uniforms, school-owned instruments and other resources pertinent to the music program.

### **Article III: Membership**

#### *Section 3.1: Membership Overview*

Membership in SHSBB is open to any person in the school community who is interested in developing and maintaining an active, quality band program at Stephenson High School.

#### *Section 3.2: Full Membership*

- A. Full membership in Good Standing of the SHSBB requires all budgeted student honorariums be paid in full. Membership honorariums will be established by the

Finance team, based on the Band's projected financial needs for the upcoming band year. They shall present the budget to the Executive Board, for approval. Once reviewed and approved by the Executive Board, the budget will be presented to the General Body for acceptance by a majority vote of Full members, at a regularly scheduled meeting.

Members in good standing (student honorarium paid in full) will have the right to the following:

1. Right to vote on all organization matters; and
2. Hold office in accordance with the Bylaws of the Organization.

### *Section 3.3: Sponsor Membership*

A Sponsor Membership shall be open to individuals, organizations, institutions and business firms who wish to contribute \$100 or more to the Organization.

Such membership entitles the organization, institution or business firm the right to attend the meeting without voting rights or eligibility to hold office.

### *Section 3.4: Honorary Life Membership*

Honorary Life Membership shall confer by vote of the Organization in recognition of distinguished service to SHSBB.

Honorary Life members shall not be required to pay dues. Honorary Life members will not have voting rights or be eligible to hold office.

## **Article IV: Meetings of the Members**

### *Section 4.1: Regular Meeting*

The regular meeting of the members of the SHSBB shall be held at Stephenson High School or at such other place in the United States as may be determined by the Executive Board, at such time and on such date as the Executive Board shall determine from time to time, for the purpose of electing the Executive Board and transacting such other business as may properly be brought before the meeting. Generally, unless SHSBB is unable, regular meetings shall be held on the fourth Thursday of the month during the months of July, August, September, October, November, January, February, March, April and May. There shall be no regular meetings conducted during the months of June and December.

### *Section 4.2: Special Meetings*

Special meetings of the members shall be held at Stephenson High School or at such other place in the United States as may be designated, and shall be called by the President or the Recording Secretary when so directed by the Executive Board.

### *Section 4.3: Quorum*

Members entitled to vote may take action on a matter at a meeting only if a quorum of those members is present in person. Members are entitled to one vote per household. Unless the Articles, other provisions of these Bylaws or the Code provides otherwise, fifteen (15) members in good standing constitute a quorum for the transaction of business in any membership meeting regarding SHSBB on the matter by the members constitutes a quorum. When a quorum is once present at a meeting, it is not broken by the subsequent withdrawal of any of those present.

### *Section 4.4: Voting*

If a quorum exists, action on a matter (other than the election of Executive Board) by the members is approved if the votes cast favoring the action exceed the votes cast opposing the action. Unless the Articles or these Bylaws provide otherwise, each member is entitled to one vote in person on each matter voted on at a members' meeting.

## **Article V: Executive Board**

### *Section 5.1: Powers*

All corporate powers shall be exercised by or under the authority of, and the business and affairs of the SHSBB managed under the direction of its governing board which consists of the Executive Board of the Corporation (See Appendix A). The Executive Board of the SHSBB shall consist of:

1. President
2. Vice President of Operations
3. Business Manager
4. Recording Secretary
5. Vice President of Finance
6. Treasurer
7. Financial Secretary

No executive board member shall be compensated for duties performed as an officer of this corporation. No executive board member shall be a member of the school or school district's faculty or administration.

### *Section 5.2: Qualifications of President, Vice President of Operations, Business Manager, Recording Secretary, Vice President of Finance, Treasurer, and Financial Secretary*

The President, Vice President of Operations, Business Manager, Recording Secretary, Vice President of Finance, Treasurer, and Financial Secretary shall be a natural person who have attained the age of eighteen (18). In addition, the President, Vice President of Operations, Business Manager, Recording Secretary, Vice President of Finance, Treasurer, and Financial Secretary must currently be a full member pursuant to Article III

of these Bylaws by no later than the first band registration day of the fiscal year. These individual must be able to be bonded.

### *Section 5.3: Term*

The term of the terms of the President, Vice President of Operations, Business Manager, Recording Secretary, Vice President of Finance, Treasurer, and Financial Secretary shall be one year. An executive board member elected to fill a vacancy shall be elected for the unexpired term of his/her predecessor in office.

### *Section 5.4: Executive Board Meeting Attendance*

All Executive Board Members must attend all required Executive Board and Membership Meetings. If any member can not attend they must contact the President and/or Band Director.

### *Section 5.5: Vacancies*

Unless the Articles or other provisions of these Bylaws duly approved by the members provide otherwise, if a vacancy occurs, the members may fill the vacancy. If the members are unable to fill the vacancy, the Executive Board may fill the vacancy. If the Executive Board remaining constitutes less than a quorum of the Executive Board, they may fill the vacancy by the affirmative vote of a majority of all the Executive Board members remaining in office. A vacancy that will occur at a specific later date (by reason of a resignation effective at a later date) may be filled before the vacancy occurs but the new Executive Board member may not take office until the vacancy occurs.

### *Section 5.6: Resignation*

An Officer may resign at any time by delivering written notice to the Executive Board, President or Recording Secretary. A resignation is effective when the notice is delivered unless the notice specifies a later effective date.

### *Section 5.7: Removal of Executive Board by members*

An Executive Board member may be removed with cause. The following must occur prior to removing an Executive Board member:

1. There must be a verbal meeting between the President and the Band Director with the Executive Board member in question. A meeting may be held without the affected Executive Board member in the event the affected Executive Board member refuses to attend.
2. There must be a verbal meeting between all Executive Board members, including the Executive Board member in question. A meeting may be held without the affected Executive Board member in the event the affected Executive Board member refuses to attend.
3. A written notice, by certified mail, of the intent to remove the affected Executive Board member must be given to the affected Executive Board member



4. SHSBB will solicit a resignation from the affected Executive Board member. If the affected Executive Board member submits a written resignation, the membership will be notified in writing.
5. If a written resignation is not received, the remaining Executive Board members will vote to remove the affected Executive Board member. A unanimous vote of the remaining Executive Board members is required.
6. The members must be notified in advance that removal of an Executive Board member will take place. The Principal of Stephenson High School will then be notified of the removal of the Executive Board member.

## **Article VI: Duties of Executive Board**

### *Section 6.1: President*

The President shall:

1. Be responsible for conducting the Executive and Membership Meetings.
2. Vote in the event of a tie vote
3. Select the chairperson and members for the Special Committees.
4. Sign all binding contracts regarding SHSBB business.
5. Sign SHSBB checks as needed
6. Approve check requests as needed
7. Attend all committee meetings if deemed necessary and have the power to remove any chairperson from a committee who is not conducting business in SHSBB interest.
8. Have the authority to give assignments to other members of the Executive Board when deemed necessary.
9. Be responsible for ensuring that the SHSBB is conducting the business in the proper manner at all times.
10. Send communications to parents and students as needed.
11. Be bonded.

### *Section 6.2: Vice President of Operations*

The Vice President of Operations shall:

1. During the absence or disability of the President, the Vice President of Operations shall exercise all the functions of the President
2. Oversee the Chaperone, First Aid, Hospitality, Transportation, and Uniform Committees and also serve as an ex-officio member of each committee.
3. Provide the Hospitality Committee with a list students eligible to receive meals, if applicable
4. Schedule canteens
5. Sign SHSBB checks as needed
6. Approve check requests as needed
7. Send communications to parents and students as needed.
8. Establish the amount to be charged to students for meals
9. Establish the amount to be charged to students to attend the annual band banquet
10. Consults with the Vice President of Finance to establish the time and place to collect fees and/or payments to SHSBB prior to the collection date

11. Be bonded

*Section 6.3: Business Manager*

The Business Manager shall:

1. During the absence or disability of the President, Vice President of Operations, and the Vice President of Finance, the Business Manager shall exercise all the functions of the President
2. Be responsible for student registration process.
3. Update the registration information on all band students, as well as parent information, on the Charms Office System.
4. Organize all trips for the Stephenson High School Band
5. Be responsible for communicating with the Chaperone Chair or VP of Operations regarding departure times for Chaperones to report to the school to prepare for departure on anytime the band students need to leave the school.
6. Be responsible for negotiating and arranging the details of contracts SHSBB intends to enter into regarding travel.
7. Be responsible for ordering all inventory items for SHSBB property and keeping track of all inventory items (i.e. spiritwear, attire, etc.).
8. Be responsible for selling and/or distributing all inventory items and establishing the price for these items.
9. Send communications to parents and students as needed.
10. Consults with the Vice President of Finance to establish the time and place to collect fees and/or payments to SHSBB prior to the collection date
11. Be bonded.

*Section 6.4: Recording Secretary*

The Recording Secretary shall:

1. During the absence or disability of the President, Vice President of Operations, Vice President of Finance, Business Manager, Treasurer, and the Financial Secretary, the Recording Secretary shall exercise all the functions of the President
2. Be responsible for keeping the meeting minutes from the Executive Board and Membership Meetings.
3. Be responsible for keeping a copy of all documents that are given out at all Membership Meetings.
4. Be responsible for reading the minutes of the previous month Membership Meeting.
5. Be responsible for keeping a copy of all contracts that the SHSBB has entered into and all other written correspondence that must be maintained by SHSBB
6. Send communications to parents and students as needed.
7. Be bonded

*Section 6.5: Vice President of Finance*

The Vice President of Finance shall:

1. During the absence or disability of the President and the Vice President of Operations, the Vice President of Finance shall exercise all the functions of the President

2. Ensure that proper Bonding and Insurance is obtained yearly.
3. Ensure that the annual audit is completed
4. Files copy of annual audit report with Recording Secretary.
5. Review the bank statement reconciliation on a monthly basis.
6. Produce Budget vs Actual Report, based on monthly Treasurer's Report.
7. Review all monthly reports produced by the Treasurer and Financial Secretary
8. Assist in collecting monies.
9. Assume the duties of Treasurer in his/her absence.
10. Assume the duties of Financial Secretary in his/her absence
11. Ensures that bank signature cards contain all required signatures
12. Sign SHSBB checks as needed
13. Approve check requests as needed
14. Oversee the fundraising committee
15. Develops proposed annual budget
16. Transfer monies, as needed, from PayPal to General Fund bank account.
17. Serve as the administrator on the Charms Office system
18. Backs up the finance reports and Charms reports on a monthly basis
19. Sign all monthly financial reports
20. Send communications to parents and students as needed
21. Establishes the time and place for the collection of funds
22. Be bonded

*Section 6.6: Treasurer*

The Treasurer shall:

1. During the absence or disability of the President, Vice President of Operations, Vice President of Finance, and the Business Manager, the Treasurer shall exercise all the functions of the President
2. Consolidates information, including Meeting Minutes from both E-Board and General Body meetings, necessary to complete the yearly audit of the books
3. Works with external auditor to ensure yearly audit is completed
4. Responsible for receipt of deposits from the Vice President of Finance, Financial Secretary, or other individuals that are responsible for collecting funds.
5. Ensure that all funds are properly documented on the cash count collection form.
6. Ensure that the cash collections are counted and verified by at least three bonded individuals.
7. Be responsible for depositing collected funds within 5 business days of receipt.
8. Be responsible for producing monthly Treasurer's Report within five (5) business days after month end
9. Present Treasurer's report at E-Board and General Body Meetings.
10. Serve as the custodian of all SHSBB checkbooks unless the President designates another bonded SHSBB member to serve as custodian of the checkbooks.
11. Ensure all checks have two signatures.
12. Ensures all checks are written from the appropriate account
13. Ensures that all check requests have the proper authorization signature, either that of the President, Vice President of Finance or Vice President of Operations.

14. Ensures that all check requests have proper documentation attached (receipts for purchases). Also ensures that all required comments are noted on the check request form.
15. Preserves all check requests, receipts, paid bills, bank statements, signed financial reports, and canceled checks for annual audit.
16. Prepares month-end bank reconciliations for all accounts.
17. Ensure that all authorized bills are paid in a timely manner.
18. Never issues a check made payable to "cash," and never pays with cash. Checks provide a record of transactions.
19. Always registers every check in the checkbook at the time it is written. Record on the check and the check stub the reason that the check was written.
20. Never deposit any SHSBB money in account other than and an account owned by SHSBB.
21. Writes checks for approved items.
22. Serve as a second signer of a check only in the event two other signers are not available.
23. Send communications to parents and students as needed.
24. Prepare and file (or delegate an individual or entity to prepare and file) Form 990 with the Internal Revenue Service no later than the due date of such return. Currently, the due date is October 15<sup>th</sup> of each year
25. Issue Form 1099-MISC as required.
26. Assume the duties of Financial Secretary in his/her absence
27. At the request of the Superintendent of the School's District, provide all requested financial records
28. Provide, via email, a copy of SHSBB's financial information and bank statements to Stephenson High School current Principal quarterly.
29. Be bonded

#### *Section 6.7: Financial Secretary*

The Financial Secretary shall:

1. During the absence or disability of the President, Vice President of Operations, Vice President of Finance, Business Manager, and the Treasurer, the Financial Secretary shall exercise all the functions of the President
2. Collects monies related to SHSBB activities
3. Ensures that all student account records are properly updated on the Charms Office System with receipted funds from PayPal, cash, fundraisers, charges, and/or credits as needed
4. Provide a list of students whose parents shall be deemed to be in Full/Good Standing and eligible to vote to the Teller Committee.
5. Send communications to parents and students as needed.
6. Be bonded

### **Article VII: Meetings And Action of the Executive Board**

#### *Section 7.1: Meetings of Executive Board*

The Executive Board shall meet prior to any Membership Meeting. A special call meeting can be called by the President in the case of an emergency.

#### *Section 7.2: Meetings of Committees*

The Vice President of Operations shall hold an annual meeting with all committees. The President or Vice President of Operations may establish a date or dates on which regular committee meetings shall be held between annual meetings. At the request of the President, Vice President, or Committee Chair, a special meeting may be held.

#### *Section 7.3: Place of Meetings*

Meetings of the Executive Board or committees of the Board shall be held at Stephenson High School, or at such other place as shall have been designated in the notice of the meeting.

#### *Section 7.4: Meetings by Conference Telephone or Similar Equipment*

Members of the Executive Board or any committee may participate in a regular or special meeting by means of conference telephone or similar communications equipment by means of which all persons participating in the meeting can simultaneously hear each other during the meeting. An individual participating in a meeting pursuant to this Section is deemed to be present in person at the meeting. In the event the Recording Secretary is unable to be present at the meeting, a designated individual shall take minutes.

#### *Section 7.5: Quorum and Voting*

Unless otherwise required by the Articles, Bylaws or the Code, a quorum of the Executive Board consists of a majority of the fixed number of Executive Board, excluding the President. If a quorum is present when a vote is taken, the affirmative vote of a majority of Executive Board, excluding the President, present is the act of the Executive Board unless the Articles, other provisions of these Bylaws or the Code otherwise requires the vote of a greater number of Executive Board members. The President must vote in the event of a tie. If a quorum shall not be present at any meeting of the Board or committee, the members present at such meeting may adjourn the meeting from time to time, without notice other than announcement at the meeting, until a quorum shall be present.

#### *Section 7.6: Order of Business for General Body Meetings*

The order of business (agenda) for general body meetings is as follows:

1. Greetings
2. Reading of Minutes
3. Treasurer's Report
4. Budget vs. Actual Report

5. Vice President of Operations report
6. Business Manager Report
7. New Business
8. Director's Report
9. Open Forum: Questions, Closing Remarks
10. Adjournment

### **Article VIII: Nomination of Executive Board**

#### *Section 8.1: Nominations of the Executive Board*

1. The Nominating Committee shall be selected by the President from volunteers, from the membership in full standing as the need arises.
2. The Nominating Committee shall present nominees for each office to the membership during the January membership meeting.
3. Nominations for any office can be made from the floor during the January nomination meeting.
4. A nomination form must be completed by all nominees.
5. Nominations from the floor must be present in person to accept the nomination.
6. Nominees will be introduced at the January membership meeting

### **Article IX: Election of Executive Board**

#### *Section 9.1: Election of the Executive Board*

1. The election meeting shall be held in February.
2. Members must vote by being present at the election meeting.
3. A majority of votes cast by the voting membership shall be required to be elected. If more than 2 members run for the same office and neither candidate receives a majority (51%) of the votes, a run-off will be held between the top 2 candidates in March.
4. The Teller Committee is responsible for managing the election process.
5. The Teller Committee will use a teller sheet to record votes received by each candidate. (See Appendix B)
6. Teller Chair is responsible to announce election results to the membership.
7. The Financial Secretary will provide a list of students whose parents deem to be in Full/Good Standing and eligible to vote.
8. All adults in good standing present at the election meeting will sign for a ballot and cast their vote.
9. All ballots shall be kept for a minimum of 60 days.

### **Article X: Standing Committees**

#### *Section 10.1: Standing Committees*

The Standing Committees shall be:

1. Chaperone
2. First Aid
3. Fundraising

4. Hospitality
5. Sponsorship
6. Uniform
7. Transportation

Membership of the Standing Committees shall be volunteers from the SHSBB membership and/or individuals that support the SHSBB program. The chairperson for the Standing Committees, except the First Aid Committee, must be a member pursuant to Article III and shall be elected among the volunteers of each standing committee group. If a Chairperson cannot be elected among the committee, then the President or Vice President of Operations shall appoint the Chairperson.

*Section 10.1.1: Chaperone Committee*

The Vice President of Operations shall oversee the Chaperone Committee and serve as an ex-officio committee member. The Chaperone Committee shall be responsible for attending events in which the band students participate to ensure that the band members are properly supervised and present at the designated location in a timely and orderly manner.

*Section 10.1.2: First Aid Committee*

The Vice President of Operations shall oversee the First Aid Committee and serve as an ex-officio committee member. The First Aid Committee shall be responsible for attending to the aid of band members in the event of a medical situation or emergency. Generally, the chairperson of this committee will be an individual with the most medical credentials. Individuals that serve on this committee must have a medical related background.

*Section 10.1.3: Fundraising Committee*

The Vice President of Finance shall oversee the Fundraising committee and serve as an ex-officio committee member. The Fundraising Committee shall be responsible for creating and administering fundraising events.

*Section 10.1.4: Hospitality Committee*

The Vice President of Operations shall oversee the Hospitality Committee and serve as an ex-officio committee member. The Hospitality Committee shall help with the set-up and clean-up of events. The Hospitality Committee shall be responsible to provide meals for the band and oversee the operation of the band banquet.

*Section 10.1.5: Sponsorship Committee*

The Vice President of Finance shall oversee the Sponsorship Committee and serve as an ex-officio committee member. The Sponsorship Committee shall be responsible for securing sponsors for SHSBB.

*Section 10.1.6: Uniform Committee*

The Vice President of Operations shall oversee the Uniform Committee and serve as an ex-officio committee member. The Uniform Committee shall be responsible for the issuance of Dekalb County owned band uniforms and maintaining records regarding the issuance (and return of) of Dekalb County owned uniforms. This committee shall ensure that all issued uniforms are maintained on the Charm Office system.

*Section 10.1.7: Transportation Committee*

The Vice President of Operations shall oversee the Transportation Committee and serve as an ex-officio committee member. This committee is also responsible for moving of equipment, furniture, or any other items during Stephenson High School Band events. This committee must supervise the band managers.

*Section 10.2: Special Committees*

The Special Committees shall be:

1. Nominating/Teller
2. Bylaws

Special Committees shall be selected by the President from volunteers, from the membership in good standing as the need arises. The Chairperson of any Special Committee shall be appointed by the President. Members of the Special Committees shall be volunteers from the SHSBB membership.

*Section 10.2.1: Nominating/Teller Committee*

The Nominating/Teller Committee shall prepare and present a ballot with nominees for the Executive Board of the Corporation. This committee is responsible for managing the election process. The Teller Committee will use a teller sheet to record votes received by each candidate and they announce election results to the membership.

*Section 10.2.2: Bylaws Committee*

The Bylaws Committee shall update and present changes to the Bylaws to the Executive Board of the organization and the membership.

**Article XI: Charms Office System**

*Section 11.1 – Charms Office System Overview*

SHSBB maintains financial, student, uniform, and other information using the Charms Office System. The Charms Office System is an Internet based system that is found at [www.charmsoffice.com](http://www.charmsoffice.com). The Charms Office System keeps track of all student and parent information such as email addresses, phone numbers, groups, and chaperones. It organizes the SHSBB library, keeps track of uniforms, required forms turned in by



students, fundraisers, manages band trips, band bank accounts, allows parents, via PayPal, to pay fees, allows parents to view their child's account information, has an online calendar, send emails, and much more via the Internet.

#### *Section 11.2 – Charms Office Administrator*

The Vice President of Finance serves as the administrator of the Charms Office System. The administrator is responsible for setting up users, granting necessary privileges, and resetting passwords within the system.

### **Article XII: Bank Accounts**

#### *Section 12.1: Bank Accounts Overview*

The organization shall maintain four (4) bank accounts:

1. General Account
2. Travel Account
3. Dazzling Diamonds Account
4. Savings Account

#### *Section 12.1.1 – General Account*

The general account shall be used to collect and disburse funds for the operation of the band. Money collected via PayPal will be deposited into the General Account.

#### *Section 12.1.2 – Travel Account*

Funds collected for the purpose of the band traveling on non Dekalb County trips will be deposited in the Travel Account. Expenses for related travel will be disbursed from the Travel Account. Funds received via PayPal for travel will be transferred to the Travel Account upon receipt.

#### *Section 12.1.3 – Dazzling Diamonds Account*

Funds received by SHSBB for the purpose of purchases for the Dazzling Diamond dance team will be deposited and/or credited to the Dazzling Diamond Account. Disbursements from this account will be solely for expenses incurred by the Dazzling Diamond dance team. Disbursements from this account will be at the discretion of the Dazzling Diamond Director and/or band director(s).

#### *Section 12.1.4 – Savings Account*

SHSBB will maintain a Savings Account for the purpose of generating interest income for SHSBB. Transfers into or out of this account will be at the discretion of the Treasurer.

*Section 12.2: Bank Account Locations*

All bank accounts are maintained at one financial institution. By the majority vote of the Executive Board, the location of the bank accounts may be changed to another financial institution. In the event the location of the bank accounts is changed, the Executive Board of the organization will notify the membership of the organization.

**Article XIII: Financial (Operation) Procedures**

*Section 13.1: Annual Budget*

SHSBB will develop a written yearly budget based on estimated future revenue and expenses for SHSBB based on projected enrollment. The booster club's budget will be designed to support the program needs that cannot be met by the school. The prior year's Budget vs. Actual will serve as a starting point for the creation of the new budget.

SHSBB Student Honorariums will reflect the amount needed from each participating student as Income to meet the budgeted expenses. In the event that monies are either less than or greater than originally budgeted, the Budget will be adjusted to reflect the necessary changes to bring it in line with the monies received. The budget can also be adjusted to change the funding of individual line items, and/or to include, and/or delete line items as deemed necessary.

All budget changes must be presented and voted upon by the Executive Board, and then presented to the membership before they become effective.

*Section 13.2: Annual Audit*

SHSBB shall have an annual financial accounting audit conduct by a Certified Public Accountant (CPA) that does not have a conflict of interest.

The Superintendent of Dekalb County Schools or their designee may order, at any time, that the booster clubs financial records be audited, at the school district's expense, by an independent accounting firm or accountant designated by the Superintendent.

A line item will be reflected in the budget to accommodate an annual audit to be conducted at the end of each fiscal year.

*Section 13.3: Financial Report Distribution*

SHSBB members will receive a written copy of the organization's financial report at all regular general body meetings. The Principal of Stephenson High School will receive the financial report and all related bank statements, via email, quarterly.

*Section 13.4: Bonding Insurance*

SHSBB will ensure that all Executive Board members are adequately covered by bonding insurance. The cost of the bonding insurance will be an expense of SHSBB.

*Section 13.5: Commingling of Funds*

SHSBB funds shall never be commingled with student activity funds or other school or school district funds. All funds collected from a SHSBB fundraiser or otherwise obtained by SHSBB will be only be deposited into bank accounts owned by SHSBB.

**Article XIV: SHSBB Policies**

*Section 14.1: Money Collection Policy*

Money will NOT be accepted the day of actual band performances, i.e. football games, Jamboree, Festivals, and/or Travel Dates. To ensure that all payments and/or fees are properly credited to your student's account, payments should only be made to either the Vice President of Finance, Treasurer, or Finance Secretary or any other individual designated by the Vice President of Finance to collect funds.

*Section 14.2: Procedures for Crediting Student Accounts*

Student accounts will be credited within three (3) business days after the finance team meets. If a student's honorarium is not paid in full, any payments and/or credits on the student's account will be used for the purpose of payment toward the student's honorarium. Students are not eligible for a refund of a credit balance if the student's honorarium is not paid in full.

*Section 14.3: SHSBB Registration Policy*

Students are not allowed to register themselves in the band. The parents (or guardian) of band members must register their student in the band. All students that participate in band activities and/or travel with the band must submit a TYPED registration form, a TYPED medical form, and a copy of both sides of the insurance card that reflects the student's name. The registration and medical forms must also be signed by the parent. These forms must be turned into the Business Manager. SHSBB will not allow students to participate in activities that are not conducted at Stephenson High School (i.e. football games and other travel) if all forms are not given to SHSBB.

*Section 14.4: SHSBB Non-Dekalb County Travel Policy*

In the event the band travels on a non-Dekalb County sanctioned trip, only students that have paid their honorarium in full will be eligible to travel on the trip upon the payment of all required fees. Payments for non-Dekalb County sanctioned trips will only be accepted from students that have paid their honorarium in full. In the event SHSBB inadvertently accepts payment for a non-Dekalb county trip or a parent pays for the trip via PayPal, the student will be refunded the total cost of the trip unless the parent chooses to designate the payment for the student's honorarium.

*Section 14.5: SHSBB Budgeted Meals Policy*

In the event SHSBB establishes a budget for meals as part of the student's honorarium, meals will only be provided to those student's whose honorariums are paid in full. In the event a band member wants to be provided a meal when their honorarium is not paid in full, the band member will be required to pay the required charge. The charge for meals is established by the Vice President of Operations.

*Section 14.6: Honorarium Payment Policy*

Payments for honorariums (full or partial) are non-refundable.

*Section 14.7: Travel Payment Policy*

Payments for travel are non-refundable unless the Executive Board notifies the membership of a refund policy.

*Section 14.8: Payments for Special Order Items, Attire, Spirit Wear, or Other Purchases*

In the event a band member makes a payment for a special order item, attire, spirit wear, or other purchases, the payment items are non-refundable.

*Section 14.9: General Refund Policy*

Generally, all funds remitted to SHSBB are non-refundable. In the event a refund is given, if a student paid the fee, the refund will only be issued either the parent of the band student or the adult and/or company that made the original payment. All refunds will be given by a SHSBB check only regardless of the method of payment. Refunds will only be made at the discretion of the Vice President of Finance and/or President. A check request (see Appendix C), must be submitted to the President, Vice President of Operations, or Vice President of Finance for approval before a disbursement occurs.

*Section 14.10: Refund of Excess Funds on a Students Account*

SHSBB's fiscal year begins on June 1 and ends on May 31 of the following year. In the event a student is eligible for a refund for the overpayment of funds during a fiscal year, the parent must request a refund no later than May 21 of that fiscal year. Refunds will not be issued on funds paid to SHSBB during a prior fiscal year. A request for a refund of excess funds must be made to the Vice President of Finance, Finance Secretary, or Treasurer.

**Article XV: Procedures for Handling Funds**

*Section 15.1: Individuals Able to Accept Funds on Behalf of the Organization*

Generally, funds should only be accepted by the Vice President of Finance, Treasurer or Financial Secretary. ONLY Executive Board members, in the event the Vice President

of Finance, Treasurer or Financial Secretary is unable to do so, that have been bonded and insured by the organization may accept funds on behalf of the organization.

*Section 15.2: Checks, Drafts, or Orders*

All checks require the signature of two Executive Board members. The signatures should be that of the President, Vice President of Operations, Vice President of Finance, and/or Treasurer. The Treasurer shall only sign a check in the event the President, Vice President of Operations, or Vice President of Finance is unable to.

*Section 15.3: Invoices*

Invoices in the name of the SHSBB shall be paid by the organization. Invoices not in the name of SHSBB to be paid by the organization must include an explanation detailing SHSBB's obligation to pay the invoice before payment is made. Any invoices directed to the band director and/or the school must be presented to the SHSBB within 30 days of receipt.

*Section 15.4: Reimbursement of Expenses*

In the event individuals and/or entities which incur expenses on behalf of the SHSBB, must present a receipt for reimbursement of funds to occur. A completed check request form (see Appendix C) is needed with a valid explanation detailing SHSBB's obligation regarding the reimbursement must occur before reimbursement will occur. Reimbursements will be made by check only.

*Section 15.5: Non-Budgeted Expenses Over \$500*

All non-budgeted expense items that exceed \$500 must be approved by the Executive Board prior to being disbursed.

*Section 15.6: Cash Box*

A cash box, with a locking device, and/or pouch shall be maintained by the Vice President of Finance.

*Section 15.7: Deposits*

Deposits to the SHSBB bank account shall be made within 5 business days of the receipt of funds from the time the finance team meets.

*Section 15.8: Start-Up/Change Funds*

At the beginning of the term of the Vice President of Finance, Treasurer, and Financial Secretary, each individual will be issued a check for \$100 for the purpose of having a funds to provide change for monies paid to the band. The \$100 must be returned to the band's general fund no later than May 31.

*Section 15.9: Maintenance of Books and Records/Fiscal Year*

Books and records should be maintained on an annual basis beginning June 1 and ending May 31.

*Section 15.10: Location of Books and Records*

At the close of fiscal year, the books and records should be maintained in the band room located at Stephenson High School, 701 Stephenson Road, Stone Mountain, GA 30087. Books and Records for each school year should be turned over no later than July 1.

**Article XVI: Miscellaneous Provisions**

*Section 16.1: Contracts*

Except travel related contracts, the President is the only individual that can enter into a binding contract obligating SHSBB. Travel related contracts will be entered into after consulting the Band Director. Contracts relating to travel, after the approval of the Executive Board, may entered into by either the President or Business Manager.

*Section 16.2: Loans*

No loans shall be contracted on behalf of SHSBB and no evidences of indebtedness shall be issued in its name unless authorized by a vote of the membership. Such authority may be generally confined to specific instances.

*Section 16.3: Post Office Box*

The organization shall maintain a post office box. The Vice President of Finance shall maintain a key to the post office box. The post office box shall be monitored at least one (1) time per month. All mailings concerning the organization shall be directed to the post office box. The post office box shall be maintained at the Stone Mountain United States Post Office located at 5181 W Mountain, St, Stone Mountain, Georgia. The Post Office Box Number is 1231. The Mailing address for SHSBB is PO Box 1231, Stone Mountain, GA 30086.

*Section 16.4: Internet Website*

The organization shall maintain an Internet Website. Currently, the website for the organization is [www.stephensonhighband.net](http://www.stephensonhighband.net). The Internet Website shall be maintained by an individual designated by SHSBB.

*Section 16.5: Internal Revenue Code 501(c)(3) Status*

The organization is currently exempt under IRC 501(c)(3) as a public charity described under 509(a)(2) of the Internal Revenue Code. SHSBB shall make all necessary filing to maintain its IRC 501(c)(3) status.

*Section 16.6: Director Supplements*

SHSBB incurs expenses to have outside and/or additional instructors/clinicians to work with various sections of the band. Each outside and/or additional instructor will be chosen at the discretion of the Band Director and paid a director supplement at a price approved for by the Band Director. Each outside and/or additional instructor will be treated as an independent contractor and will be issued a Form 1099-MISC if payments exceed \$600 (or whatever amount the Internal Revenue Service determines that a Form 1099-MISC should be issued) during a calendar year period. Prior to issuing payments that exceed \$600, the Treasurer will ensure that the additional/outside instructor submits Form W-4. SHSBB will ensure that copy of all issued Form 1099-MISC is submitted to the Internal Revenue Service by the due date.

**Article XVII: Indemnification**

The Corporation shall indemnify its Executive Board, employees and agents to the greatest extent permitted by law. The corporation shall power to purchase and maintain insurance on behalf of any person who is or was an Officer, employee, or agent of the Corporation or who is or was serving at the request of the Corporation as an Officer, employee, or agent of another corporation, partnership, joint venture, trust, or other enterprise, against any liability asserted against such person and incurred by such person in any such capacity or arising out of any status as such, whether or not the Corporation would have the power to indemnify such person against such liability of the provisions of this Article.

**Article XVIII: Conflict of Interest Policy**

*Section 18.1: Purpose*

The purpose of the conflict of interest policy is to protect SHSBB's interest when it is contemplating entering into a transaction or arrangement that might benefit the private interest of an Officer of SHSBB or might result in a possible excess benefit transaction. This policy is intended to supplement but not replace any applicable state and federal laws governing conflict of interest applicable to nonprofit and charitable organizations.

*Section 18.2: Definitions*

1. Interested Person - Any Officer, or member of a committee with governing board delegated powers, who has a direct or indirect financial interest, as defined below, is an interested person.

2. **Financial Interest** - A person has a financial interest if the person has, directly or indirectly, through business, investment, or family:
  - a. An ownership or investment interest in any entity with which SHSBB has a transaction or arrangement,
  - b. A compensation arrangement with SHSBB or with any entity or individual with which SHSBB has a transaction or arrangement, or
  - c. A potential ownership or investment interest in, or compensation arrangement with, any entity or individual with which SHSBB is negotiating a transaction or arrangement.

Compensation includes direct and indirect remuneration as well as gifts or favors that are not insubstantial. A financial interest is not necessarily a conflict of interest. Under Section 18.3, Section 2, a person who has a financial interest may have a conflict of interest only if the appropriate governing board or committee decides that a conflict of interest exists.

### *Section 18.3: Procedures*

1. **Duty to Disclose**

In connection with any actual or possible conflict of interest, an interested person must disclose the existence of the financial interest and be given the opportunity to disclose all material facts to the Executive Board and members of committees with governing board delegated powers considering the proposed transaction or arrangement.

2. **Determining Whether a Conflict of Interest Exists**

After disclosure of the financial interest and all material facts, and after any discussion with the interested person, he/she shall leave the governing board or committee meeting while the determination of a conflict of interest is discussed and voted upon. The remaining governing board or committee members shall decide if a conflict of interest exists.

3. **Procedures for Addressing the Conflict of Interest**

- a. An interested person may make a presentation at the governing board or committee meeting, but after the presentation, he/she shall leave the meeting during the discussion of, and the vote on, the transaction or arrangement involving the possible conflict of interest.
- b. The President of the governing board or committee shall, if appropriate, appoint a disinterested person or committee to investigate alternatives to the proposed transaction or arrangement.
- c. After exercising due diligence, the governing board or committee shall determine whether SHSBB can obtain with reasonable efforts a more advantageous transaction or arrangement from a person or entity that would not give rise to a conflict of interest.
- d. If a more advantageous transaction or arrangement is not reasonably possible under circumstances not producing a conflict of interest, the governing board or committee shall determine by a majority vote of the disinterested Executive Board whether the transaction or arrangement is in SHSBB's best interest, for its own



benefit, and whether it is fair and reasonable. In conformity with the above determination it shall make its decision as to whether to enter into the transaction or arrangement.

4. Violations of the Conflicts of Interest Policy
  - a. If the governing board or committee has reasonable cause to believe a member has failed to disclose actual or possible conflicts of interest, it shall inform the member of the basis for such belief and afford the member an opportunity to explain the alleged failure to disclose.
  - b. If, after hearing the member's response and after making further investigation as warranted by the circumstances, the governing board or committee determines the member has failed to disclose an actual or possible conflict of interest, it shall take appropriate disciplinary and corrective action.

#### *Section 18.4: Records of Proceedings*

The minutes of the governing board and all committees with board delegated powers shall contain:

1. The names of the persons who disclosed or otherwise were found to have a financial interest in connection with an actual or possible conflict of interest, the nature of the financial interest, any action taken to determine whether a conflict of interest was present, and the governing board's or committee's decision as to whether a conflict of interest in fact existed.
2. The names of the persons who were present for discussions and votes relating to the transaction or arrangement, the content of the discussion, including any alternatives to the proposed transaction or arrangement, and a record of any votes taken in connection with the proceedings.

#### *Section 18.5: Compensation*

1. A voting member of the governing board who receives compensation, directly or indirectly, from SHSBB for services is precluded from voting on matters pertaining to that member's compensation.
2. A voting member of any committee whose jurisdiction includes compensation matters and who receives compensation, directly or indirectly, from SHSBB for services is precluded from voting on matters pertaining to that member's compensation.
3. No voting member of the governing board or any committee whose jurisdiction includes compensation matters and who receives compensation, directly or indirectly, from SHSBB, either individually or collectively, is prohibited from providing information to any committee regarding compensation.

#### *Section 18.6: Annual Statements*

Each Officer and member of a committee with governing board delegated powers shall annually sign a statement which affirms such person:

1. Has received a copy of the conflicts of interest policy,
2. Has read and understands the policy,
3. Has agreed to comply with the policy, and

4. Understands that SHSBB is charitable and in order to maintain its federal tax exemption it must engage primarily in activities which accomplish one or more of its tax-exempt purposes.

#### *Section 18.7: Periodic Reviews*

To ensure SHSBB operates in a manner consistent with charitable purposes and does not engage in activities that could jeopardize its tax-exempt status, periodic reviews shall be conducted. The periodic reviews shall, at a minimum, include the following subjects:

1. Whether compensation arrangements and benefits are reasonable, based on competent survey information and the result of arm's length bargaining.
2. Whether partnerships, joint ventures, and arrangements with management organizations conform to SHSBB's written policies, are properly recorded, reflect reasonable investment or payments for goods and services, further charitable purposes and do not result in inurement, impermissible private benefit or in an excess benefit transaction.

#### *Section 18.8: Use of Outside Experts*

When conducting the periodic reviews as provided for in Section 18.7, SHSBB may, but need not, use outside advisors. If outside experts are used, their use shall not relieve the governing board of its responsibility for ensuring periodic reviews are conducted.

### **Article XIX: 501(c)(3) Provisions**

#### *Section 19.1: No Legislative Activities Policy*

No substantial part of the activities of this corporation shall consist of carrying on propaganda, or otherwise attempting to influence legislation (except as otherwise provided by Section 501(h) of the Internal Revenue Code), and this corporation shall not participate in, or intervene in (including the publishing or distribution of statements), any political campaign on behalf of, or in opposition to, any candidate for public office.

#### *Section 19.2: No Inurement Policy*

No part of the net earnings of this corporation shall inure to the benefit of, or be distributable to, its members, Executive Board, or other private persons, except that this corporation 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 these articles.

#### *Section 19.3: 501(c)(3) Powers Provision*

Notwithstanding any other provision of these Bylaws, the corporation shall not carry on any other activities not permitted to be carried on (a) by a corporation exempt from federal information tax under section 501(c)(3) of the Internal Revenue Code, or the corresponding section of any future federal tax code, or (b) by a corporation,

contributions to which are deductible under section 170(c)(2) of the Internal Revenue Code, or the corresponding section of any future federal tax code.

*Section 19.4: 501(c)(3) Dissolution Provision*

Upon dissolution of this corporation, its assets remaining after payment, or provision for payment, of all debts and liabilities of this corporation shall be distributed for one or more exempt purposes within the meaning of Section 501(c)(3) of the Internal Revenue Code or shall be distributed to the federal government, or to a state or local government, for a public purpose. Any such assets not so disposed of shall be disposed of by a court of competent jurisdiction of the county in which the principal office of the corporation is then located, exclusively for such purposes or to such organization or organizations, as said court shall determine which are organized and operated for such purposes.

All references to sections of the Internal Revenue Code shall include such sections as of the date hereof and the corresponding section of any future federal tax code.

**Article XX: Amendment of Bylaws**

*Section 20.1: Amendments Must Be Consistent with IRC 501(c)(3)*

Amendments to the Bylaws must be consistent with an organization described under 501(c)(3) of the Internal Revenue Code (or any future provision). No amendment may be made that is inconsistent with an organization described under 501(c)(3) of the Internal Revenue Code (or any future provision).

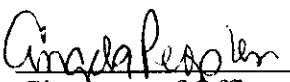
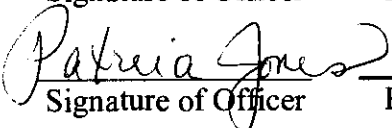
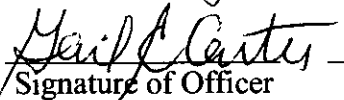
*Section 20.2: Adoption of Amended Bylaws*

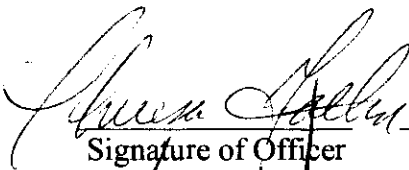
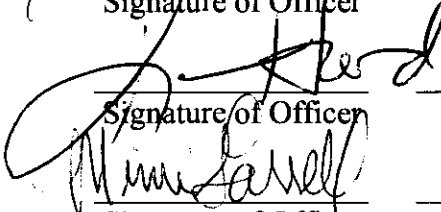
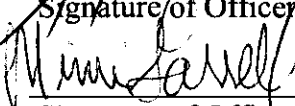
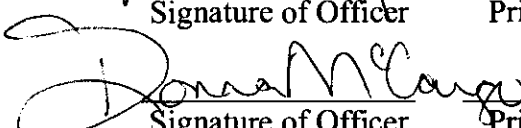
Proposed amendments to the Bylaws shall be made by the Executive Board of the Corporation and presented to the SHSBB membership for adoption. The adoption of proposed amendments to the Bylaws may be made by a majority vote of the members.

**Article XXI: Effective Date**

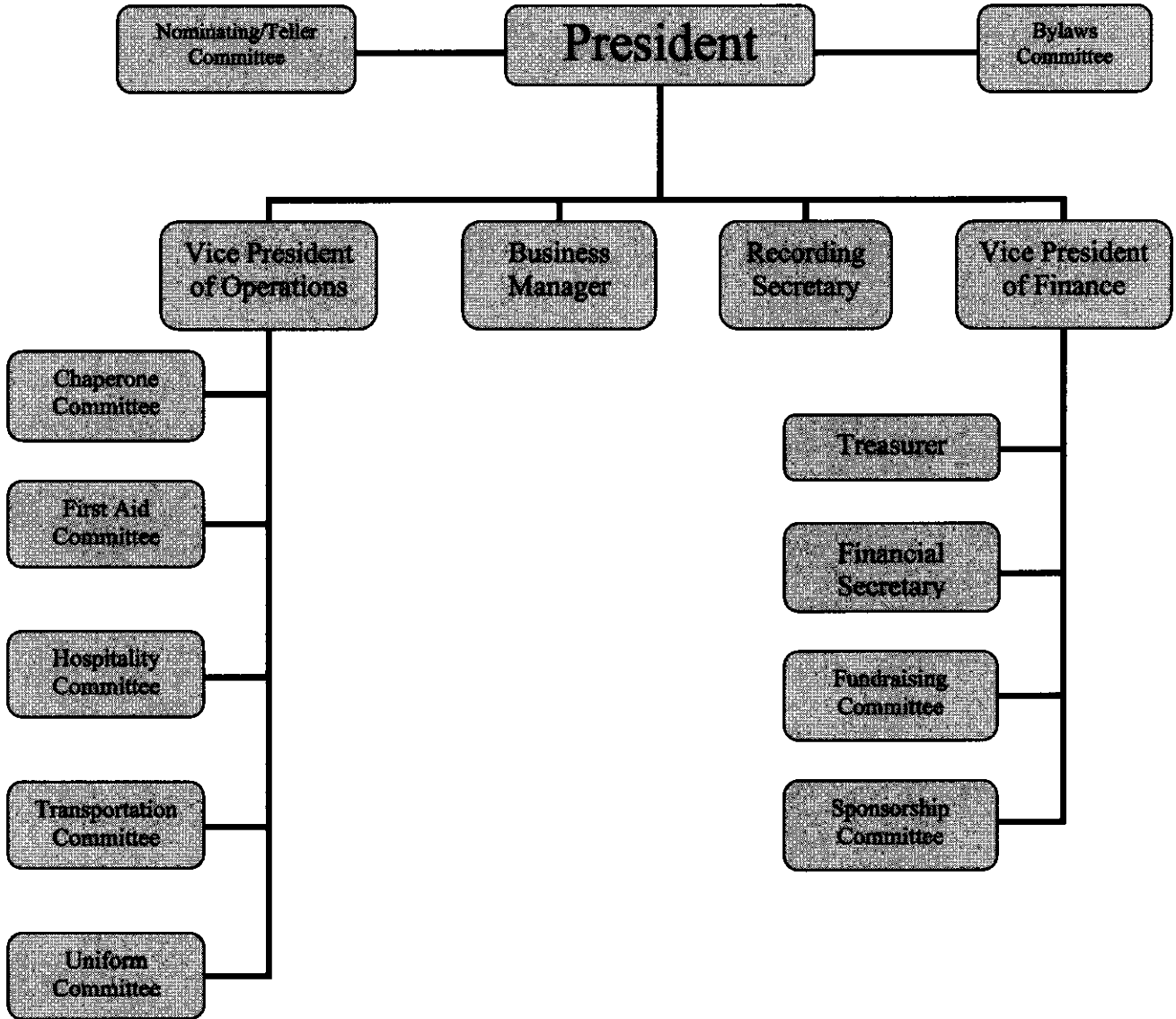
The effective date of these amended Bylaws is May 31, 2012.

Adopted on this 26th day of April, 2012.

 Signature of Officer	<u>Angela Peoples</u> Printed Name of Board Member	<u>President</u> Title
 Signature of Officer	<u>Patreia Jones</u> Printed Name of Board Member	<u>Vice President of Operations</u> Title
 Signature of Officer	<u>Gail Carter</u> Printed Name of Board Member	<u>Business Manager</u> Title

	<u>Theresa Gatlin</u>	<u>Vice President of Finance</u>
Signature of Officer	Printed Name of Board Member	Title
	<u>Karen Hood</u>	<u>Treasurer</u>
Signature of Officer	Printed Name of Board Member	Title
	<u>Mimi Garrell</u>	<u>Financial Secretary</u>
Signature of Officer	Printed Name of Board Member	Title
	<u>Donna McCargo</u>	<u>Recording Secretary</u>
Signature of Officer	Printed Name of Board Member	Title

Appendix A –Flow Chart



## Appendix B - Ballot

Teller's Name \_\_\_\_\_  
Last Name
First Name

**Please Print Legibly**

Office	Name of Candidate	Vote Indicate vote with a "√" or "x"
	_____	_____
		<input type="checkbox"/>
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**Instructions:** You have been given 2 tally sheets, one to use for counting and one to enter your final total, for each candidate. Both copies must be returned to the Timekeeper or a designee. Please write in the names of the individuals nominated from the floor under the correct office for which they've been nominated. Please review the ballots and verify that the voter only marked one candidate per office. Multiple votes for different candidates for the same office will invalidate the vote for that office.

Thanks for your participation!

Appendix C - SHSBB Check Request



**REQUESTER FILLS IN THIS SECTION**

**Date of request** \_\_\_\_\_

**Person requesting** \_\_\_\_\_

**Make check payable to** \_\_\_\_\_

**Amount of check \$** \_\_\_\_\_

**Purpose** \_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

**Signature of requester** \_\_\_\_\_

**Note: If item(s) has/have already been purchased, please attach receipt(s) to this form. Otherwise, provide receipt(s) as soon as possible after purchase. Approval must be obtained on all purchases. Failure to obtain approval may result in purchaser having to incur the expense(s). Signature of SHS Band Booster President, VP of Finance, or VP of Operations is required before treasurer will issue check.**

**Approval** \_\_\_\_\_ **Date** \_\_\_\_\_

**Denied** \_\_\_\_\_ **Date** \_\_\_\_\_

**FOR TREASURER'S USE ONLY**

**Date issued** \_\_\_\_\_ **Check Number** \_\_\_\_\_

\_\_\_\_\_ **Marching Band**      \_\_\_\_\_ **Diamonds**      \_\_\_\_\_ **Wind Ensemble**

**Budget item charged (Marching Band)** \_\_\_\_\_

**Comments** \_\_\_\_\_  
\_\_\_\_\_

**Treasurer's signature** \_\_\_\_\_