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# CONSTITUTION AND BY-LAWS OF THE BELLBROOK MUSIC BOOSTERS

Date Reviewed and Amendment List Reviewed and amended by the membership on March 7, 2011. Changes from the prior version are shown on a redlined version of this document included in the minutes of the March 7, 2011 regular meeting of the Boosters.

VOTED ON AND  
ADOPTED ON MARCH 7,  
2011

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## **ARTICLE I – NAME**

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The name of the organization shall be known as the Bellbrook Music Boosters, a corporation located in Bellbrook, Ohio.

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## **ARTICLE II – PURPOSE**

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The Bellbrook Music Boosters, hereafter referred to as “The Boosters,” is an organization whose purpose is to:

- Stimulate student and community interest in appreciation and support of the Bellbrook High School music programs. The High School music program consists of the following groups: marching band, symphonic band, wind ensemble, jazz band, pep band, winter percussion, winter color guard, choir, and associated auxiliary groups.
- Collaborate with those in charge of the music department and the school board to the end that the music department maintains the highest possible degree of effectiveness and efficiency.
- Encourage the Bellbrook High School Band as a character building institution by meeting challenges and defeats with dignity and realizing successes with humility.
- Assist the bands in activities beneficial to the future of the band, with an awareness of not encroaching on the inherent responsibility of the school administration.
- Provide additional support for the music program with those things that are not provided by the school (examples may include such things as additional staff, banquets, awards, props, travel expenses)
- Plan and carryout fundraising.

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## **ARTICLE III – MEMBERSHIP**

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All parents/guardians of the students of the High School music programs are considered to be members of this organization. Anyone else interested in the progress of the Bellbrook Music program is eligible for membership by paying an annual membership fee of \$10.00.

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## **ARTICLE IV - BOARD OF TRUSTEES**

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Section 1. The Board of Trustees shall be elected by the general membership. Except as otherwise provided herein, each trustee shall serve for a term of three years beginning on April 1<sup>st</sup> of the year in which the trustee is elected. The Board of Trustees is bound to govern by the Bellbrook Music Boosters Constitution and By-Laws.

Section 2. Eligibility for becoming a member of the Board is that the person is a current member of the Booster organization and is current with financial requirements or is a school official or a staff member.

Section 3. The Board will meet on a periodic basis, but at least annually and on an as-needed basis.

Section 4. The Board of Trustees shall consist of eleven trustees, of which ten trustees shall be elected by the general membership in accordance with Article VIII and one trustee shall be appointed by the ten elected trustees. The ten elected Trustees shall include at least one school official representative and one staff member representative. The trustee appointed by the ten elected trustees also shall hold the position of chairperson of the Ways and Means Committee. The functions of the Board of Trustees are:

1. To oversee the operation of the Bellbrook Music Booster organization.
2. Elect or appoint the officers of the Booster organization on an annual or as-needed basis.
3. Review, modify and approve Booster organization policies.
4. Enhance the organization's public image.
5. Help implement, manage and review the organization's mission and purpose.

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## **ARTICLE V - OFFICERS**

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Section 1. The officers of the Boosters, which shall consist of a President, a Vice President, a Recording Secretary, a Communication Secretary and a Treasurer, shall be elected annually by the Board of Trustees at a meeting to be held on or after April 1 and prior to the April

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regular meeting. Each elected officer shall hold office for a term of one year effective immediately following the election.

Section 2. To be considered for office in the Boosters, the candidate must be current on all financial requirements with the Boosters.

Section 3. The President, Vice President and Treasurer may not be related to the Band Director or Assistant Band Director.

## **ARTICLE VI – EXECUTIVE BOARD**

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Section 1. The Executive Board shall consist of the officers of the Boosters and the chairperson of the Ways and Means Committee.

Section 2. The director of the music department or his/her designee shall serve in an advisory role on the Executive Board.

Section 3. The Executive Board may secure the fidelity of any or all such officers by bond or otherwise.

Section 4. The Executive Board shall be empowered to conduct the business of the Boosters and recommend the expenditures of all monies upon the approval of the membership at the regular meeting. In the event of an emergency, the Executive Board may approve funds as required.

Section 5. The Executive Board in collaboration with the director and his/her designees shall prepare an annual budget. The budget will be presented to the membership at the February regular meeting for a vote. Budgeted expenditures are understood to be expected costs. The Executive Board will have final say as to any reallocation of costs.

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## **ARTICLE VII - DUTIES OF THE OFFICERS**

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### **PRESIDENT**

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1. The President shall have supervision over the business affairs of the Boosters.
2. The President shall be in communication with the director and all officers.
3. The President shall act as judge of all elections and declare results.
4. The President shall cast a deciding vote in case of a tie.
5. The President shall be chairman of the Executive Board.
6. The President shall preside over all executive and regular meetings and maintain order.
7. The president shall enforce observation of the Constitution and By-Laws of the Boosters.
8. The President shall put all questions when seconded, to a vote.
9. The President shall direct the secretary to call special meetings of the Boosters or have the power to do so him/herself.
10. The President shall appoint all standing and special committee chairs deemed necessary to fulfill the business and activities of the organization subject to the approval of the Executive Board.

### **VICE-PRESIDENT**

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1. The Vice President will perform duties of the President in the absence of the President.
2. Upon resignation of the President, the Vice President will assume those responsibilities.
3. The Vice President shall oversee the Ways and Means Committee.

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4. The Vice President shall be responsible for the yearly review of the Constitution, By-Laws, and Parents Handbook (Frequently Asked Questions).
5. The Vice President shall work with the web-master to ensure the information contained on the website is current and accurate.

### RECORDING SECRETARY

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1. The Recording Secretary shall record minutes from each regular meeting including the number of those attending.
2. The Recording Secretary shall record and maintain minutes from each Executive Board meeting and record the names of those attending.
3. The Recording Secretary shall distribute a copy of the Booster meeting minutes to each Executive Board member on or before the date of each Board meeting.
4. The Recording Secretary will confirm for the President that a quorum is present at each Board of Trustees meeting.
5. The Recording Secretary shall have available at each meeting a copy of the minutes of previous meetings.
6. The Recording Secretary shall keep the official current version of the By-Laws.

### COMMUNICATIONS SECRETARY

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1. The Communications Secretary shall be responsible for all correspondence for the Boosters and will see that President is in receipt of all correspondence.
2. The Communications Secretary shall maintain an accurate database of all participants in the music programs and shall actively solicit current information from the director.
3. The Communications Secretary shall communicate all changes in music program membership to the appropriate subcommittees.

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## TREASURER

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1. The Treasurer shall maintain detailed and accurate records of receipts and expenditures of all Booster funds.
2. The Treasurer shall prepare and verbally provide abbreviated reports at regular meetings with a detailed copy filed with all other official Booster documents.
3. The Treasurer and applicable Finance Committee members will be bonded.
4. The Treasurer shall receive all funds due the Boosters, and be responsible for the timely deposit of funds in a designated depository determined by the Executive Board.
5. At all Executive Board meetings, the Treasurer shall submit a written report to the President and Recording Secretary listing itemized expenses and ending balance.
6. The Treasurer shall prepare a summary of finances at the end of the fiscal year, which shall be available to all members. Included in the report shall be an itemization of expenses and profits from each fund raising activity.
7. All Booster disbursements above \$100 will be made by check or electronic means.
8. The Treasurer or Executive Board appointed designee should maintain records of the individual student's financial account. Article XIII provides additional information.
9. The Treasurer is responsible for ensuring Booster expenditures align with budget planning estimates, and for verifying that disbursements are paid out of appropriate sub accounts.

## **ARTICLE VIII – ELECTIONS OF TRUSTEES AND OFFICERS; VACANCIES**

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Section 1. Nominations from the floor for trustees and officers will be accepted in January and February with the confirmed consent of the nominee. Confirmation need not be made at the time of nomination and may be obtained any time prior to the election.

Section 2. Elections for trustees will take place at the March regular meeting. Except as otherwise provided herein, each elected trustee shall hold office for a three-year term and

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until his/her successor is elected, or until his/her earlier resignation. Terms of the ten trustees elected by the general membership need not be coterminous, and the general membership may elect a trustee or trustees for a one-year or two-year term in order to stagger the expiration of the terms of the elected trustees.

Section 3. At all trustee elections, the nominees receiving the greatest number of votes shall be elected.

Section 4. Annually, at the Board of Trustees meeting following the election of new trustees and held on or after April 1<sup>st</sup> and prior to the April regular meeting, the ten elected trustees shall appoint for a one-year term the chairperson of the Ways and Means Committee, who also shall serve as a trustee for a one-year term coterminous with his/her term as chairperson of the Ways and Means Committee. The term of each such appointed trustee/chairperson shall begin on the day of the election and shall terminate at the election of officers during the April Trustee meeting of the following year. The resignation of the chairperson of the Ways and Means Committee as a trustee shall serve as a resignation from the position as chairperson of the Ways and Means Committee, and vice versa. In the event of the resignation of the appointed trustee/Ways and Means Committee chairperson, the remaining trustees shall appoint a new trustee/Ways and Means Committee chairperson to serve out the remainder of the departing trustee's/chairperson's one-year term.

Section 5. Annually, following the appointment of the eleventh trustee, the Board of Trustees shall elect the officers of the Boosters. If there is only one candidate for an office, election shall be by voice vote. If there is more than one candidate for an office, elections shall be by ballot. At all officer elections, the officer nominee receiving the greatest number of votes shall be elected.

Section 6. Should the office of President become vacant, it shall be filled by the Vice President. All other officer vacancies will be filled by a special election held at the next meeting of the Board of Trustees following the announcement of the vacancy, and all trustee vacancies will be filled by a special election held at the next meeting of the general membership following the announcement of the vacancy

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## **ARTICLE IX – MEETINGS**

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Section 1. The regular meetings of the Boosters shall be held once a month. The time and place will be designated by the Executive Board. The meeting will be held on the first Monday of every month at the High School unless otherwise notified.

Section 2. Special meetings may be called by the President and Executive Board and they may cancel the regular meeting.

Section 3. The Executive Board shall meet as often as necessary, generally monthly, to determine the policies and transact the business of the organization. Any Executive Board meeting shall be open to any Booster member. Portions of an Executive Board meeting may be closed to the general membership where confidentiality issues are of concern, e.g. grant applications.

Section 4. The Board of Trustees will meet periodically, but at least annually.

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## ARTICLE X – QUORUM

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Section 1.

**At any regular or special meeting of the Boosters, a quorum is achieved when two criteria are met:**

- a) 50% of the individuals holding either a trustee or officer position are present
- b) Either the President or the Vice President is present.

Section 2. A majority of the whole number of trustees shall constitute a quorum for Board of Trustee meetings. A majority of the whole number of Executive Board members, including the President or Vice President, shall constitute a quorum for Executive Board meetings.

Section 3. In advance of voting issues, the general membership will be notified via the “Music Notes” publication or by other written correspondence delivered to each member in written or electronic form.

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Section 4. At each regular and special meeting of the Board of Trustees, the Executive Board and the general membership at which a quorum is present, all questions and business which shall come before such meeting shall be determined by the affirmative vote of a majority of the persons present.

## **ARTICLE XI – COMMITTEES**

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Section 1. All Standing committee chairpersons are encouraged to attend Executive Board meetings. All standing committee chairpersons shall prepare written committee reports within 30 days of completion of an activity that summarize activities which took place during the previous activity. The written committee reports will be given to the Executive Board. The committee chairpersons are responsible for monitoring and adhering to their designated budgetary expense limit.

Section 2. With the exception of the chairperson of the Ways and Means Committee, who shall be appointed by the ten elected members of the Board of Trustees, committee chairpersons shall be appointed by the President with Executive Board approval.

Section 3. The committees of the Boosters shall include, but not be limited to the following, and have the responsibilities as described:

- Ways and Means – responsible for organizing and supervising all fund raising committees, securing all fund raising committee chairpersons, and presenting a monthly activity report at all executive and regular meetings.
- Finance Committee – assists Treasurer with financial business of the Boosters.
- Uniform Committee – responsible for the uniforms used by the various student groups supported by the Boosters.
- Pit Crew and Facilities – responsible for the design and building of the props in consultation with the Director, also responsible for assisting in transportation of instruments and equipment for the various groups supported by the Boosters, maintains the field used for the marching band.

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- Food Committee – responsible for coordinating and/or providing meals for marching band activities/events away from home.
- Social Committee – responsible for planning, coordinating and implementing food service for the band camp barbecue, send-off party, Centerville Mid-States, award banquet, mini camps and other designated events.
- Chaperone – responsible for working with school personnel for the supervision of student’s participation in a music department function away from school.
- Public Affairs Committee – responsible for coordinating all Booster public affairs requirements, including fundraiser advertisements, publications and announcements.

Section 4. Committees may be formed or disbanded by the Executive Board as required.

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## **ARTICLE XII –AUTHORITY**

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The rules contained in Robert’s Rules of Order shall govern all meetings in cases which they do not conflict with the rules of the Boosters.

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## **ARTICLE XIII – MONIES, PROPERTIES AND FINANCIAL REPORT**

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Section 1. The funds of the Boosters shall consist of receipts from any fund raising projects or donations. All monies shall be counted and deposited in a timely manner at the conclusion of the event.

Section 2. All monies not needed for operational expenses shall be deposited in a financial institution of a secure nature showing the best current rate of return.

Section 3. All monies of the Boosters shall be deposited in a depository institution insured by the Federal Deposit Insurance Corporation (FDIC)

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Section 4. All deposits will be made in the name of the Bellbrook Music Boosters.

Section 5. In order to assure accountability for all spending by the Boosters, each committee head will be responsible for adhering to the amount allocated to their function in the annual budget. The committee or fund-raising chair shall also prepare a budget for the event. All purchases must be approved by the committee head and then submitted to the Treasurer for payment or reimbursement. All bills/reimbursement requests must be accompanied by a request for payment/purchase order. If the purchases request exceeds the allocated amount designated by the budget, the committee head must notify the Treasurer. Additional funds must then be appropriated with the approval of a majority of the Executive Board. Unless prior approval has been given from the Treasurer, no reimbursement may be made.

Section 6: An elected officer may make purchases or commitments up to \$500 with the written approval (email acceptable) from either the President or Treasurer as long as the item or service is specifically identified in the annual budget, otherwise a purchase order must be obtained. For such expenses requiring a Purchase Order, the Treasurer must sign the Purchase Order, and either the President or Vice President must approve the Purchase Order in writing.

Section 7: The Treasurer may make payments for the items purchased or services rendered in the ordinary course of conducting business up to \$5,000 as long as the item or service is specifically identified in the annual budget, otherwise a purchase order must be obtained. For such expenses requiring a Purchase Order, the Treasurer must sign the Purchase Order, and either the President or Vice President must approve the Purchase Order in writing.

Section 8: In the case that the submitter and an officer are related, approval must be from an unrelated officer.

Section 9: Reimbursement requests for emergency expenses must also be submitted with a purchase order for approval. If the reimbursement is denied, an appeal must be made in person to the Booster membership at the next regular meeting.

Section 10: "Pass-Through" accounts will be handled by the Treasurer upon approval by the Executive Board. The Music Boosters will not cover expenses that exceed the amount

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collected for the “pass-through.” Purchases will not be authorized unless money has been collected in advance to cover such purchases.

Section 11: No part of the net earnings or assets of the corporation shall inure to the benefit of, or be distributable to, its members, directors, officers, or other private persons, except that the 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 Article Third hereof. No substantial part of the activities of the corporation shall be the carrying on of propaganda, or otherwise attempting to influence legislation, and the corporation shall not participate in, or intervene in (including the publication or distribution of statements) any political campaign on behalf of any candidate for public office. Notwithstanding any other provisions of these Articles, the corporation shall not carry on any other activities not permitted to be carried on (a) by a corporation exempt from Federal income tax under Section 501(c)(3) of the Internal Revenue Code of 1986 (or the corresponding provision of any future United States internal revenue law) or (b) by a corporation, contributions to which are deductible under Section 170(c)(2) of the Internal Revenue Code of 1986 (or the corresponding provision of any future United States internal revenue law).

Section 12. The Executive Board shall assure that an examination of the Treasurer’s accounts is conducted on an annual basis. Such examination should be performed prior to the filing of official forms by the Boosters.

## **ARTICLE XIV – TERMINATION OF THE BOOSTERS**

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Section 1: Upon the dissolution of the corporation, the Board of Directors shall, after paying or making provision for the payment of all the liabilities of the corporation, distribute all of the then remaining assets of the corporation to Sugarcreek Local Schools, Bellbrook, Ohio, or if such school system is not in existence, to such organization or organizations organized and operated exclusively for charitable, educational, religious or scientific purposes as shall at the time qualify as an exempt organization or organizations under Section 501(c)(3) of the Internal Revenue Code of 1986 (or the corresponding provisions of any future United States internal revenue law, as the Board of Directors shall determine). Any of such assets not so disposed of shall be directed by the Court of Common Pleas of the County in which the principal office of the corporation is then located exclusively to such organization or organizations which are organized and operated exclusively for such purposes.

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Section 2: The Board of Trustees shall have the authority to appoint the statutory agent for the Boosters.

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## **ARTICLE XV – AMENDMENTS**

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Section 1. The Board of Trustees shall review the By-Laws annually.

Section 2. The Constitution and By-Laws may be amended by majority vote of the members present at any regular meeting, providing the proposed amendment has been duly presented to the members prior to the meeting.

Section 3. Date of adoption and each subsequent amendment including article and date of amendment is to be listed in this document.

**Voted on and adopted on March 7, 2011.**

**Date Reviewed and Amendment List** Reviewed and amended by the membership on March 7, 2011. Changes from the prior version are shown on a redlined version of this document included in the minutes of the March 7, 2011 regular meeting of the Boosters.