

# **ROCK HILL HIGH SCHOOL BAND BOOSTER CLUB, INC.**

## **BYLAWS AND CONSTITUTION**

### **Article I – Name**

The name of this organization shall be the Rock Hill High School Band Booster Club, Inc. The Organization may also be referred to as the "Booster Club" or "Boosters" within this document.

### **Article II – Purpose**

- Section A.** The purpose of this organization is to aid and assist the Rock Hill High School Band program offered by Rock Hill High School, a public high school within Rock Hill School District 3 and to operate within the parameters of Section 501 (c)(3) of the Internal Revenue Code.
- Section B.** It shall be our aim and purpose to stimulate and create interest in and support of the activities of Rock Hill High School Band by all approved means, to include the raising of funds to finance needs of the program not supported by school funds.
- Section C.** It is our purpose to use our time and means, not to direct but to aid and assist the administration, faculty, and students of Rock Hill High School in promoting the activities of the school.
- Section D.** It is recognized that the selection of personnel, as well as the direction of all activities of the School, must come from members of the professional staff who are charged with that responsibility under the authority of the Board of Trustees of School District 3.

### **Article III – Principal Offices**

The principal offices of the Rock Hill High School Band Booster Club, Inc. are located at:  
**320 W. Springdale Road, Rock Hill, South Carolina.**

### **Article IV – Membership**

- Section A.** Membership is open to any interested adult regardless of sex, race, or religion. Membership to the Booster Club is free; however, there are various Sponsor levels available. Fees for the various Sponsor levels shall be set by the Executive Board and approved by the Boosters.
- Section B.** Memberships and Sponsorships are active from June through May of the current School year.
- Section C.** All members will be required to complete a membership form each new school year. Any dues for optional Sponsor fees are due at the time a new membership form is completed.
- Section D.** Each member who has membership form on file will be eligible to cast one (1) vote during business meetings; however, there is a forty-five (45) day waiting period until you are eligible to vote starting from the date of receipt of your membership form.

- Section E.** A current membership form accompanied with a membership form from the previous year will waive the forty-five (45) day waiting period for voting eligibility.
- Section F.** General Booster Club meetings will be called by the Executive Board, and are typically, but not limited to the second Thursday of each month.

## **Article V – Executive Board**

- Section A.** The Executive Board will consist of the officers identified in Article VII, Section A, the school Principal or their designated representative and the Ways and Means Committee Chairperson(s).
- Section B. Duties:**
1. Shall have all the power and authority granted by South Carolina law to the Board, including all powers necessary or appropriate to the fulfillment of the business and affairs of the organization
  2. Shall meet monthly or more frequently at the request of the President and/or Band Director.
  3. Shall inform the general membership of actions and recommendations taken by the Board.
  4. Shall perform an audit of financial records as desired but at least annually.
  5. Shall determine the fidelity bond for President(s), Vice-President(s), and Treasurer(s) annually.
- Section C.** A majority of the members of the Executive Board shall constitute a quorum.
- Section D.** A Board member shall be removed from office by a two-thirds majority vote of the entire membership. Thirty days' notice must be given of a meeting in which a vote to remove is to be approved. The notice is required to state that the purpose or one of the purposes of the meeting is to consider removal of a Board member.

## **Article VI – Conflict of Interest**

- Section A.** The Booster Club shall not operate for the personal benefit of an individual who has direct or indirect control of the organization or who is able to substantially influence the affairs of the organization.
- Section B.** The Rock Hill High School Band Booster Club, Inc. shall not participate in any political campaign of candidates for local, state or federal office.

## **Article VII – Officers**

- Section A.** The officers of this organization shall be President(s), Vice President(s), Secretary, Accounts Payable Treasurer, and Accounts Receivable Treasurer, and the Chairperson for Ways and Means.
- Section B.** The term of office for the President(s), Vice-President(s), and Secretary shall be one year. The term of office for the Accounts Payable Treasurer, Accounts Receivable Treasurer, and Chairperson of Ways and Means shall be two years. The Treasurers will be elected on alternating years.

- Section C.** No officer may hold any one position more than twice every four years.
- Section D.** All members are eligible for the above offices after completing one year as a member of the Booster Club.
- Section E.** The Executive Board shall fill the vacancies occurring during a term of office. Such appointments are valid until the next election of that position, but will not prevent the appointed officer from running for a normal elective term for the same office.
- Section F.** The elected Vice President(s) will serve concurrently as President(s) Elect and will serve as President(s) the following year.

**Section G. Duties.**

**President(s)**

- a. Shall preside at all meetings of this organization.
- b. Shall preside at all Board meetings.
- c. Shall report to the general membership any action taken by the Board.
- d. Shall be one authorized check signer.
- e. Shall be bonded in an amount to be determined by the Board.
- f. Co-Presidents shall be counted as one vote on the Board.
- g. Shall give all work papers to the new President no later than June 1<sup>st</sup>.

**Vice President(s)**

- a. Shall serve one year as President(s) Elect and one as President(s).
- b. Shall ascend to the Presidency of the Booster Club the following year.
- c. Shall assume all duties of the president in his/her absence.
- d. Shall be one authorized check signer.
- e. Shall be bonded in an amount to be determined by the Board.
- f. Co-Vice Presidents shall be counted as one vote on the Board.
- g. Shall give all work papers to the new Vice-President(s) no later than June 1<sup>st</sup>.

**Secretary**

- a. Shall keep accurate records and minutes of all meeting of this organization.
- b. Shall maintain a complete membership roll.
- c. Shall be responsible for general correspondence.
- d. Shall provide voting ballots to all Booster Club members in attendance
- e. Shall be counted as one vote on the Board.
- f. Shall give all work papers to the new Secretary no later than June 1<sup>st</sup>.

**Accounts Payable Treasurer**

- a. Shall disburse funds of the organization from a financial institution approved by the Executive Board in coordination with the AR Treasurer.
- b. Shall be bonded in an amount to be determined by the Board.
- c. Shall present a financial report at all meetings in coordination with the AR Treasurer.
- d. Shall be one authorized check signer.
- e. Shall present financial records to the Audit Committee as requested.
- f. Shall coordinate filing of all federal and state tax returns.

- g. Shall be counted as one vote on the Board.
- h. Shall maintain the books and records of the Rock Hill High School Band Booster Club, Inc. in compliance with all federal and state laws and these Bylaws.
- i. Shall give all work papers to the new AP Treasurer no later than June 1st of the year he/she rotates off of the Board.

### **Accounts Receivable Treasurer**

- a. Shall receive and deposit funds of the organization in a financial institution approved by the Executive Board in coordination with the AP Treasurer.
- b. Shall be bonded in an amount to be determined by the Board.
- c. Shall present a financial report at all meetings in coordination with the AP Treasurer.
- d. Shall provide change at fundraising events.
- e. Shall be one authorized check signer.
- f. Shall present financial records to the Audit Committee as requested.
- g. Shall maintain a record of each student's ledger (credits and fees owed to the Booster Club) and provide statements to the families when updated.
- h. Shall coordinate filing of documents to the SC Secretary of State to maintain the Booster Club's 501(c)3 status.
- i. Shall be counted as one vote on the Board.
- j. Shall maintain the books and records of the Rock Hill High School Band Booster Club, Inc. in compliance with all federal and state laws, and these Bylaws.
- k. Shall give all work papers to the new AR Treasurer no later than June 1st of the year he/she rotates off of the Board.

## **Section H. Ways and Means**

- a. Shall be elected by the members of the Band Booster Club every two (2) years.
- b. Shall submit plans for Ways and Means projects to the Executive Board
- c. Shall implement and supervise approved projects
- d. Shall maintain accurate records of projects.
- e. Shall ensure that students of the band be included in fundraising activities with the supervision of the Booster Club.
- f. Shall develop and maintain procedures for the Ways & Means committee, subject to Executive Board approval.
- g. Chairperson(s) serves as member(s) of the Executive Board with one vote.
- h. Shall provide a committee report at general business meetings.

## **Article VIII – Committees**

Committee information is listed in attachment #1 of these Bylaws and will be updated as required without requiring revision to the Bylaws. All members of the Booster Club will be given updated information as updates and revisions are made.

### **Section A. Removal**

The Executive Board shall have the authority to remove a committee chairperson from office by the majority affirmative vote of the Executive Board.

## **Article IX – Contracts**

The Executive Board of Rock Hill High School Band Booster Club, Inc. is the sole authority over legally binding agreements or contracts between the organization and any individual, organization, or government. All contracts shall be approved by majority vote of the Board and signed by two officers prior to the start of employment.

## **Article X – Policies & Procedures**

- Section A.** *Robert's Rules of Order*, revised edition, shall govern parliamentary procedures of business meetings.
- Section B.** All policies and procedures of the Rock Hill High Band Booster Club, Inc. shall be developed through the Executive Board, in conjunction with the professional staff. Policies involving students are subject to approval as deemed necessary by the Principal of Rock Hill High School
- Section C.** No member of the Executive Board of the Rock Hill High Band Booster Club, Inc. shall receive any compensation for his/her service as board member
- Section D.** Any physical assets purchased by this organization (e.g. trailer, equipment) becomes the property of Rock Hill School District 3. Awards may be made with the approval of the Principal.
- Section E.** Any money to be transferred to the next fiscal year will be limited to 25 percent of the budget for the preceding fiscal year. With the approval of the Executive Board, an amount for an upcoming large expenditure so designated can be placed in a savings account until the time of the said expenditure.
- Section F.** Daily spending with each bank issued card for Band Booster accounts should not exceed the amount of \$2,500.00.

## **Article XI – Limitation of Executive Board members' Liability and Indemnification of Directors, Officers and Other Persons**

Executive Board members of Rock Hill High School Band Booster Club, Inc. shall be indemnified to the extent allowable under South Carolina non-profit corporation law.

## **Article XII – Executive Board member's Liability**

No Executive Board member of Rock Hill High School Band Booster Club, Inc. shall be personally liable for debts, liabilities, and other obligations of the organization.

## **Article XIII – Fiscal Year**

The fiscal year of Rock Hill High School Band Booster Club, Inc. is **June 1 through May 31**.

## **Article XIV – Records**

### **Section A. Records Maintained**

The Rock Hill High School Band Booster Club, Inc. shall keep as permanent records minutes of all meetings of its Executive Board, a record of all actions taken by the directors without a meeting, and a record of all actions taken by committees of the Executive Board. The Rock Hill High School Band Booster Club, Inc. shall also maintain accounting records, and an accurate and current record of its board members for 3 years.

### **Section B. Availability**

All records of the Rock Hill High School Band Booster Club, Inc. including books, accounts, records, minutes, letters, memoranda, documents, checks, vouchers, telegrams, articles, Bylaws, and any and all other records that may be deemed necessary in the operation of the Rock Hill High School Band Booster Club shall be available for review or copying to the Attorney General of South Carolina or to a duly designated representative of the federal government upon written request from the investigating entity to the President or Treasurer.

### **Section C. Permanent Records**

The articles of incorporation, restated articles of incorporation and all amendments to them currently in effect, resolutions adopted by the board relating to the characteristics, qualifications, right limitations, and obligations of board members, the minutes of all meetings of the board and a record of all actions approved by the board for the past three years, all written communication to the board within the past three years and the most recent report of each type required to be filed by the Rock Hill High School Band Booster Club Inc. with the Secretary of State shall be maintained as permanent records of the Corporation at its principal office.

### **Section D. Public Inspection**

Records of the Rock Hill High School Band Booster Club, Inc. shall be available to the public either under federal or state law during normal office hours shall be held at the Corporation's principal office.

## **Article XV – Amendments**

### **Section A. Power**

Upon approval of the Executive Board, Bylaws may be amended by two-thirds majority vote of the members present at any regular or special meeting of the Boosters.

### **Section B. Notice**

Thirty days' notice of the meeting in which an amendment is to be approved must be given and the notice is required to state that the purpose or one of the purposes of the meeting is to consider a proposed amendment to the Bylaws and contains or is accompanied by a copy or summary of the amendment or states the general nature of the amendment.

## **Article XVI - Dissolution**

In the event of dissolution, assets of Rock Hill High School Band Booster Club, Inc. shall, after necessary expenses thereof, be distributed to another organization exempt under IRS Section 501(c) (3), or corresponding provisions of any subsequent Federal tax laws.