

Madison Plains Band Boosters Bylaws

Article I – Name

- 1.1 The name of this nonprofit organization shall be the Madison Plains Band Boosters. (hereinafter known as MPBB).

Article II – Purposes

- 2.1 The MPBB is a nonprofit organization established exclusively for educational and charitable purposes within the meaning of Section 501(c)(3) of the Internal Revenue Code or corresponding section of any future tax code.
- 2.2 The educational and charitable purposes of MPBB shall include:
 - 2.2.1 The raising of funds and distribution of such funds to the Madison-Plains High School and Middle School Band programs within the Madison-Plains Local School District, provided such actions are within the Madison-Plains Local School District policies and procedures;
 - 2.2.2 The promotion and support of the continuing growth and development of the Madison-Plains High School and Middle School Band programs;
 - 2.2.3 The promotion of music culture throughout the community by fostering greater concert attendance and other public support of all Madison-Plains High School and Middle School Band activities, hereby rendering moral support to the students;
 - 2.2.4 The provision of scholarships to outstanding band students to further their education; and
 - 2.2.5 To purchase, receive, develop and maintain equipment and supplies for the enrichment of the Madison-Plains High School and Middle School Band programs, provided such actions are within the Madison-Plains Local School District policies and procedures.

Article III – Powers

- 3.1 The powers of the MPBB are as follows:
 - 3.1.1 To solicit, accept and collect donations and contributions in cash or property, real, personal or mixed;
 - 3.1.2 To acquire by purchase, lease, contract or otherwise, any property, real, personal, or mixed;
 - 3.1.3 To do any and all such further acts and to exercise any and all such further powers as may be necessary, incidental, conducive, appropriate or desirable for the accomplishment of carrying on of attainment of all or any of the objectives or purposes enumerated in these Bylaws; and to have and to exercise all the powers conferred by the laws of the State of Ohio upon charitable organizations,

Madison Plains Band Boosters Bylaws

as such laws are now in effect or may at any time hereafter be enacted or amended.

- 3.1.4 To purchase and maintain insurance to indemnify the organization of its officers and committee members to the fullest extent permitted by law.
- 3.2 Notwithstanding any other provision of these Bylaws, the MPBB shall not carry on any other activities not permitted to be carried on:
 - 3.2.1 By an organization exempt from Federal Income Tax under Section 501(c)(3) of the Internal Revenue Code, or the corresponding section of any future tax code; or
 - 3.2.2 By an organization's contributions to which are deductible under Section 170(c)(2) of the Internal Revenue Code, or the corresponding section of any future tax code.

Article IV – Policies

- 4.1 The following are the basic policies of the MPBB:
 - 4.1.1 The MPBB shall be noncommercial and nonpartisan;
 - 4.1.2 The MPBB shall not attempt to influence legislation and shall not participate 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;
 - 4.1.3 The Voting Members of the MPBB shall approve all fundraising projects and shall implement such fundraising activities as are required to meet the budget needs of the MPBB.
 - 4.1.4 No member of the MPBB shall derive any personal profit or gain, directly or indirectly, by reason of his or her participation in the MPBB. Each individual shall disclose to the MPBB any personal interest which he or she may have in any matter pending before the organization and shall refrain from participation in any decision on such matter. Any member of the MPBB shall refrain from obtaining any list of MPBB members for personal or private solicitation purposes at any time during the term of their affiliation.
 - 4.1.5 Instruments, uniforms, and all band equipment purchased by the MPBB shall be classified as property of the MPBS.
 - 4.1.6 A code of conduct shall be introduced each year in June as the purpose and guidelines of this organization.

Article V – Offices

- 5.1 **Principle Office:** The address of MPBB's initial principal office in Ohio shall be 800 Linson Road SW, London, Ohio 43140. The MPBB may have such other offices as the members may determine. The members may change the location of any office of the MPBB.

Madison Plains Band Boosters Bylaws

- 5.2 **Registered Office:** The MPBB shall maintain a registered office in Ohio. The initial registered office shall be as designated in the Articles of Incorporation. The members may change the registered office as permitted in the Ohio Nonprofit Corporation Laws.

Article VI – Registered Agent

- 6.1 **Initial Registered Agent:** The MPBB shall maintain a registered agent in Ohio. The initial registered agent of the MPBB shall be as designated in the Articles of Incorporation.
- 6.2 **Change in Registered Agent:** The members may change the registered agent as permitted in the Ohio Nonprofit Corporation Laws.

Article VII – Membership

- 7.1 **Voting Members:** A parent or guardian of an active band student at Madison-Plains High School or Middle School may be a Voting Member. To become a Voting Member a parent or guardian must complete, on an annual basis, an enrollment form and pay the annual dues.
- 7.2 **Non-Voting Members:** Any other person or business interested in the purposes of the Madison-Plains High School and Middle School Bands may be a Non-Voting Member.
- 7.3 **Advisory Non-Voting Members:** The band directors shall be Advisory, Non-Voting Members.
- 7.4 **Student Members:** The band director shall appoint two (2) active band students to be Non-Voting Members.
- 7.5 **Powers of Voting Members:** The Voting Members shall:
- 7.5.1 Transact all business of the MPBB;
 - 7.5.2 Establish special committees;
 - 7.5.3 Approve a budget for the fiscal year;
 - 7.5.4 Approve contracts and letters of agreement of the MPBB within the limits of the budget;
 - 7.5.5 Approve all fundraising activities;
 - 7.5.6 Elect all officers and committee chairs;
 - 7.5.7 Elect all Nominating Committee members; and
 - 7.5.8 Exercise all such powers and do all such lawful acts and things as are not prohibited by statute or by the Articles of Incorporation or these Bylaws.

Madison Plains Band Boosters Bylaws

Article VIII – Dues

- 8.1 Initially, a Voting Member shall pay \$10.00 per year in dues. The Voting Members may set and change the annual dues payable at the beginning of each school year. Upon recommendation of the director, the Executive Board can waive or reduce the dues owed by an individual Voting Member. The members will develop criteria to be used by the director in determining when to make such a recommendation.
- 8.2 Non-Voting Members must pay at least \$1.00 per school year to retain their membership status.
- 8.3 Advisory and Student Members shall pay no dues.

Article IX – Members Meetings

- 9.1 **Annual Meetings:** An annual meeting shall be held each year. The Executive Board shall set the specific date, time and location and communicate such to the members.
- 9.2 **Monthly Meetings:** The MPBB shall meet each month. The meeting date, time and location are to be determined by a majority of the Voting Members.
- 9.3 **Special Meetings:** Special meetings may be called by the Executive Board or by any Voting Member with the approval of the Executive Board, or, if requested at a scheduled monthly meeting, with the majority consent of the attending Voting Members.
- 9.4 **Quorum:** A quorum of five (5) members is required at any meeting to transact business.
- 9.5 **Voting:** A majority of Voting Members present shall approve all matters. Each Voting Member is entitled to one (1) vote. No proxy votes shall be accepted.
- 9.6 **Notice:** A notice of all MPBB meetings shall be given to all members at least seven (7) days prior to the meetings. Notice may be given to the members at proceeding meetings or by mail, telephone, email, or in person.
- 9.7 **Order of Business:** The order of business for all MPBB membership meetings shall be conducted as follows:
 - 9.7.1 Call to Order
 - 9.7.2 Presentation of Minutes
 - 9.7.3 Treasurer's Report
 - 9.7.4 Committee Reports
 - 9.7.5 Director's Report
 - 9.7.6 Old Business
 - 9.7.7 New Business

Madison Plains Band Boosters Bylaws

9.7.8 Adjournment

Article X – Executive Board

- 10.1 The Executive Board shall consist of the officers and chairs of standing committees of the MPBB.
- 10.2 The Executive Board shall:
 - 10.2.1 Coordinate and oversee the work of the MPBB and its committees;
 - 10.2.2 Make recommendations to the Voting Members for activities and expenditures;
 - 10.2.3 Nominate a chair for any special committees established by the members;
 - 10.2.4 Authorize expenditures up to \$75.00 on an emergency basis if a special meeting of the Voting Members cannot be convened in a timely manner to consider the expenditure. The Executive Board shall ask the Voting Members to ratify any such emergency expenditure at the next monthly meeting following the expenditure;
 - 10.2.5 Develop an agenda and recommendations for the Members' meeting;
 - 10.2.6 Establish the date for the annual meeting of the members; and
 - 10.2.7 Determine the interpretation to be placed on these Bylaws or any parts thereof that may be in conflict or of doubtful meaning.
- 10.3 Any member of the Executive Board may be removed from office for (a) not fulfilling their position, (b) has unexcused absences from three consecutive meetings, or (c) engages in a conversation or activity that is degrading or detrimental to the Madison-Plains High School band program or band director. The Executive Board will render the decision and shall appoint a Voting Member to complete the term.
- 10.4 Any member of the Executive Board may resign by delivering written notice to the Executive Board, the President, or the MPBB. Unless the notice specifies a later effective date, a resignation notice shall be effective upon the earlier of (a) receipt or (b) five (5) days after its deposit in the US mail, if mailed postpaid and correctly addressed. Once delivered, a resignation notice is irrevocable unless revocation is permitted by the Executive Board.

Article XI – Executive Board Meeting

- 11.1 **Monthly Meetings:** The Executive Board shall meet at least once per month prior to the member's monthly meeting. The Executive Board shall establish the date, time, and location for the monthly meetings.
- 11.2 **Annual Meeting:** There shall be a combined meeting of the outgoing Executive Board and the newly elected Executive Board by the end of the fiscal year, at which time, each outgoing member of the Executive Board will present a written summary of the year's work to his/her successor.

Madison Plains Band Boosters Bylaws

- 11.3 **Quorum**: A majority of the members of the Executive Board shall constitute a quorum.
- 11.4 **Voting**: Each Executive Board member shall have one (1) vote on actions voted on by the Executive Board. All actions, except authorization of an emergency expenditure, shall require a majority vote for approval. The Executive Board shall approve an emergency expenditure by a two-thirds majority vote. No proxy votes shall be accepted.
- 11.5 **Notice**: A notice of all Executive Board meetings shall be given to all members at least seven (7) days prior to the meetings. Notice may be given to the members at proceeding meetings or by mail, telephone, email, or in person.
- 11.6 **Action Without A Meeting**: Any action required or permitted to be taken at a meeting of the Executive Board (including amendment of these Bylaws) or of any committee may be taken without a meeting if all the members of the Executive Board or committee consent in writing to taking the action without a meeting and to approve the specific action. Such consents shall have the same force and effect as a unanimous vote of the Executive Board or of the committee as the case may be.

Article XII – Officers

- 12.1 The officers of MPBB shall be a:
 - 12.1.1 President;
 - 12.1.2 Vice President;
 - 12.1.3 Secretary;
 - 12.1.4 Treasurer;
 - 12.1.5 Historian.
 - 12.1.6 The Voting Members may create additional officer positions, define the authority and duties of each such position, and elect or appoint persons to fill the positions. Each officer is a member of the Executive Board.
- 12.2 Only a Voting Member may be an officer of the MPBB;
- 12.3 The Voting Members shall elect officers for the next school year at the annual meeting.
- 12.4 Each officer shall assume his/her duties at the close of the fiscal year and shall serve for a term of one (1) year or until a successor is elected.
- 12.5 No officer shall serve in the same office more than two (2) consecutive terms. An officer who has served more than one-half a term shall be credited with having served that term.
- 12.6 A person may serve in more than one office, except the President and the Secretary must be separate persons, and may serve as an officer and committee chair if no one else will fill the offices or chairs.

Madison Plains Band Boosters Bylaws

- 12.7 In the event an office (except President) or committee chair is vacated, the Executive Board shall appoint a Voting Member to complete the term. In the event the office of President is vacated; the Vice President shall become the President and the Executive Board shall appoint a Voting Member to fill the office of the Vice President.

Article XIII – Duties of Officers

- 13.1 **President**: The President shall:

- 13.1.1 Provide Leadership and be willing and available to handle any problems concerning the MPBB;
- 13.1.2 Prepare the written agenda and conduct all scheduled and special meetings of the MPBB and the Executive Board;
- 13.1.3 Put all motions, when seconded, to a vote at meetings of the Executive Board and MPBB Members;
- 13.1.4 Act as liaison between MPBB and the Madison-Plains High School and Middle School administration;
- 13.1.5 Countersign checks in the absence of the Secretary or Treasurer;
- 13.1.6 Sign all contracts and letters of agreement with the approval of the Voting Members;
- 13.1.7 Represent, or appoint someone to represent, MPBB at an outside function; provided nothing shall be undertaken in the name of MPBB without prior approval of the membership;
- 13.1.8 Be an ex officio of all committees, except the Nominating Committee;
- 13.1.9 Keep the Vice President informed on all issues;
- 13.1.10 Prepare an end-of-year report to aid the incoming President; and
- 13.1.11 Perform other duties as assigned by the members.

- 13.2 **Vice President**: The Vice President shall:

- 13.2.1 Act in the absence of the President;
- 13.2.2 Assist the President as requested;
- 13.2.3 Plan and coordinate a membership campaign;
- 13.2.4 Welcome parents or guardians of new band students and encourage participation in the MPBB;
- 13.2.5 Create and maintain a MPBB Membership Book containing the contact name and/or business name, mailing address, email address, and telephone numbers

Madison Plains Band Boosters Bylaws

of each and any members, and in the case where any membership has been terminated, record such fact in the membership book together with the date on which such membership ceased for delivery to the Secretary;

- 13.2.6 Maintain a database of all Madison-Plains High School and Middle School band students which shall include their names, mailing addresses, telephone numbers, parent/guardian names, classification and instrument for MPBB use;
- 13.2.7 Be responsible for the preparation, publication, and distribution of the MPBB directory for each band student;
- 13.2.8 Furnish mailing labels;
- 13.2.9 Advise the presiding officer on questions of parliamentary law and method of procedure;
- 13.2.10 Prepare and end-of-year report to aid the incoming Vice President; and
- 13.2.11 Perform other duties as assigned by the members.

13.3 Secretary: The Secretary shall:

- 13.3.1 Certify and keep at the principle office of the organization at all times the current and up-to-date Corporate Records Book. The Corporate Records Book shall contain all original records of the corporation, including, but not limited to: The Articles of Incorporation and any amendments; the Bylaws and any amendments; tax exemption applications and determination letters; bulk mail permit; annual state and federal tax returns; legal contracts; insurance policies; and all official correspondence of the organization;
- 13.3.2 Keep at the principal office of the organization at all times a Membership Book;
- 13.3.3 Keep at the principle office of the organization at all times a Book of Meeting Minutes for all meetings of the Executive Board and Members, recording therein the time and place of holding, whether regular or special, how called, the names of those present or represented at the meeting, and the proceedings thereof including the monthly Treasurer's report;
- 13.3.4 Record the minutes of all the Members meetings and Executive Board meetings;
- 13.3.5 Maintain an accurate record of attendance at the Members meetings;
- 13.3.6 At Member and Executive Board meetings, present for approval the minutes of the previous meeting;
- 13.3.7 Exhibit at all reasonable times to any officer of the organization, on request therefor, the Corporate Records Book, the Membership Book, and the Book of Meeting Minutes of the organization;
- 13.3.8 Be responsible for all MPBB correspondence, mailings and publicity notices;

Madison Plains Band Boosters Bylaws

13.3.9 Possess the authority to countersign checks;

13.3.10 Prepare an end-of-year report to aid the incoming Secretary; and

13.3.11 Perform other duties as assigned by the members.

13.4 **Treasurer:** The Treasurer shall:

13.4.1 Have custody of and account for all funds of the MPBB;

13.4.2 Keep books of accounts and records including bank statements, receipts, budgets, invoices, paid receipts and cancelled checks for seven (7) years or permanently if required by law, such as the IRS 990;

13.4.3 Present any unapproved bills or charges to the MPBB members at the next Member's meeting;

13.4.4 Make disbursements as authorized by the members of Executive Board in accordance with the budget adopted by the MPBB and upon receipt of check request;

13.4.5 Keep a list of all money appropriated but not yet paid;

13.4.6 Present a current Treasurer's report at each regularly scheduled Executive Board meeting and at each regularly scheduled Member's meeting;

13.4.7 Prepare a permanent, paper record copy of each monthly Treasurer's report for delivery to the Secretary;

13.4.8 Prepare the proposed annual budget for the MPBB based on submissions by each committee chair and submit this budget to the Executive Board for comment and to the members for approval at the July meeting;

13.4.9 Countersign all checks;

13.4.10 Maintain the necessary bank accounts for MPBB;

13.4.11 Assure that the books are audited prior to the end of the fiscal year as determined by the Executive Board;

13.4.12 Accurately and timely file all necessary governmental reports and forms to change the registered agent and registered office;

13.4.13 Accurately and timely file all necessary tax returns as required by the IRS;

13.4.14 Serve as a standing member of the Fundraising/Publicity and Concessions Committees;

13.4.15 Exhibit at all MPBB meetings and at other reasonable times the books of account and financial records to any officer of the organization, on request therefor;

Madison Plains Band Boosters Bylaws

13.4.16 Render to the Membership, whenever requested, an account of any or all of his or her transactions as Treasurer and of the financial condition of the organization;

13.4.17 It shall be the responsibility of the Treasurer who was in office for the fiscal year to prepare and distribute to the officers the annual report defined in Article XVI, Section 11. This duty shall remain the responsibility of the outgoing Treasurer even as the newly elected Treasurer begins to serve on the Executive Board at the start of the new fiscal year.

13.4.18 Prepare an end-of-year report to aid the incoming Treasurer; and

13.4.19 Perform other duties as assigned by the members.

13.5 **Historian:** The Historian shall:

13.5.1 Take or arrange to have taken pictures (still and video) to record band events;

13.5.2 Clip and maintain articles and stories about the band's activities from newspaper and magazines;

13.5.3 Prepare a book that documents the year's event;

13.5.4 Prepare a visual presentation for the band banquet;

13.5.5 Maintain the band group pictures; and

13.5.6 Perform other duties as assigned by the members.

Article XIV – Committees

14.1 **Standing Committees:** The following committees shall be standing committees and shall be formed each year unless decided otherwise by a majority of the Voting Members:

14.1.1 Fundraising/Publicity Committee

14.1.2 Hospitality Committee

14.1.3 Equipment/Transportation Committee

14.1.4 Concessions Committee

14.1.5 Uniform Committee

14.1.6 Volunteer/Chaperone Committee

14.1.7 Scholarship Committee

14.1.8 Nominating Committee

14.1.9 Phone Committee

Madison Plains Band Boosters Bylaws

- 14.1.10 Special Events Committee
- 14.2 **Special Committees:** The Voting Members may form any special committees deemed necessary.
- 14.3 **Chairs:** Each standing committee will be led by a chair person who shall be elected by the Voting Members at the annual meeting of the members. The chair of each committee shall be a member of the Executive Board.
- 14.4 **Committee Members:** The chair of each committee shall recruit (with the help of the Volunteer/Chaperone Committee) members for his/her committee to help accomplish the tasks of that committee.
- 14.5 **Budget:** The chair of each committee shall submit budget requests to the Treasurer by July 1st of each year.
- 14.6 **Reports:** Each committee chair shall keep a record of its activities and accomplishments and provide that record to the next chair of that committee.
- 14.7 All committee members shall be Voting Members of the MPBB.
- 14.8 No senior parent may serve on the Scholarship Committee.

Article XV – Duties of Committees

- 15.1 **Fundraising/Publicity Committee:** The Fundraising/Publicity Committee shall:
- 15.1.1 Identify and present recommendations for ongoing and annual fundraising activities for the MPBB to the members for approval;
- 15.1.2 Prepare a fundraising/publicity and special events budget for delivery to the Treasurer;
- 15.1.3 Plan and implement all fundraising activities approved by the members;
- 15.1.4 Ensure that activities of the MPBB and the Madison-Plains High School and Middle School bands are publicized, including in the local newspapers and in the high school and middle school; and
- 15.1.5 Work with the Historian to obtain pictures of event activities for publicity purposes.
- 15.2 **Hospitality Committee:** The Hospitality Committee shall:
- 15.2.1 Prepare a hospitality budget for delivery to the Treasurer;
- 15.2.2 Procure and provide water for band students at each football game, contest, concert, and parade;

Madison Plains Band Boosters Bylaws

- 15.2.3 Obtain, store and dispense refreshments to the band students at half time of football games;
 - 15.2.4 Provide food for band students during summer band camp and prior to football games and collect money from the students for that food when required; and
 - 15.2.5 Provide refreshments at other band and MPBB activities as directed by the members.
- 15.3 **Equipment/Transportation Committee:** The Equipment/Transportation Committee shall:
- 15.3.1 Prepare a transportation budget for delivery to the Treasurer;
 - 15.3.2 Coordinate, supervise, and assist the loading and unloading of band instruments, equipment, etc. at football games, band contests, parades and all other band functions; and
 - 15.3.3 Deliver and move the pit instruments to and from the field at football games and band contest performances.
- 15.4 **Concessions Committee:** The Concessions Committee shall:
- 15.4.1 Prepare a concessions budget for delivery to the Treasurer;
 - 15.4.2 Plan and manage the operation of the concession stand at football games and all other approved functions;
 - 15.4.3 Ensure that the concession stand is set up, stocked, and manned during football games and functions, cleaned up following events and secured prior to leaving; and
 - 15.4.4 Work with the Volunteer/Chaperone Committee in the recruitment of volunteers to work in the concession stand.
- 15.5 **Uniform Committee:** The Uniform Committee shall:
- 15.5.1 Prepare a uniform budget for delivery to the Treasurer;
 - 15.5.2 Organize and coordinate the issuing, fitting and altering of all band uniforms in a timely manner;
 - 15.5.3 Make repairs to any uniform jackets, pants, and hats as needed to keep all in good repair;
 - 15.5.4 Coordinate the issuing and checking in of uniforms for any event where uniforms are required;
 - 15.5.5 Arrange for the cleaning of all uniforms;

Madison Plains Band Boosters Bylaws

- 15.5.6 The chair shall be responsible for preparing and coordinating a transportable uniform repair kit for all away band trips requiring uniforms for emergency situations; and
- 15.5.7 Report to the band director any uniform needs or emergencies.
- 15.6 **Volunteer/Chaperone Committee:** The Volunteer/Chaperone Committee shall:
 - 15.6.1 Prepare a volunteer/chaperone budget for delivery to the Treasurer;
 - 15.6.2 Coordinate volunteer and chaperone needs of the Madison-Plains High School and Middle School bands with the director;
 - 15.6.3 Recruit volunteers as needed for MPBB activities;
 - 15.6.4 Maintain records of volunteer hours;
 - 15.6.5 Develop rules to be followed by chaperones; and
 - 15.6.6 The chair shall be responsible for coordinating the first aid kit and keep on file a medical form for each band student.
- 15.7 **Scholarship Committee:** The Scholarship Committee shall:
 - 15.7.1 Prepare a scholarship budget for delivery to the Treasurer;
 - 15.7.2 Develop and publish guidelines and requirements for scholarships awarded by the MPBB;
 - 15.7.3 Prepare scholarship applications for senior band members, presenting applications and requirements to all seniors and setting a deadline for their return;
 - 15.7.4 Choose the recipient of the scholarship by a majority vote of the committee members; and
 - 15.7.5 The chair shall be the confidential liaison between the student(s), MPBB, parent(s) of the recipient(s), Madison-Plains High School counselors and the administrators of the funds.
- 15.8 **Nominating Committee:** The Nominating Committee shall:
 - 15.8.1 Prepare a slate of officers and committee chairs for the next school year;
 - 15.8.2 Contact the nominees to ensure their willingness to serve; and
 - 15.8.3 Present the slate of officers and committee chairs to the members at the annual meeting.
- 15.9 **Phone Committee:** The Phone Committee shall:

Madison Plains Band Boosters Bylaws

15.9.1 Develop a telephone tree to be used to contact MPBB members and other parents and guardians of the Madison-Plains High School and Middle School band students as necessary; and

15.9.2 Contact by telephone the MPBB members and other parents and guardians of the Madison-Plains High School and Middle School band students as requested by the Executive Board or band directors.

15.10 **Special Events Committee:** The Special Events Committee shall:

15.10.1 Collaborate with the Fundraising Committee to prepare a special events budget;

15.10.2 Help the Vice President prepare, publish and distribute the MPBB directory for each band student;

15.10.3 Work with the band director to develop a theme and date for the Band Banquet and plan the event;

15.10.4 Implement the plans for the Band Banquet; and

15.10.5 Recommend, plan and implement other special activities as approved by the members.

Article XVI – Fiscal

16.1 **Fiscal Year:** The fiscal year of the MPBB shall begin on June 1st and end on May 31st of each year.

16.2 **Expenses:**

16.2.1 Expenses may be approved for reimbursement provided funds are designated in the budget for that purpose and are available. However, the Executive Board shall approve in advance any single expenditure less than \$500.00 and such approval shall be noted in the Executive Board minutes and the members shall approve in advance any expenditure over \$500.00 and such approval shall be noted in the minutes of the members meeting.

16.2.2 A check request form and original receipt shall be submitted to the Treasurer for reimbursement within thirty (30) days following the expenditure; provided however, that all check requests and receipts must be submitted by May 15th.

16.3 **Receipts:**

16.3.1 The Treasurer shall receive, and give receipt for, monies due and payable to the MPBB from any source whatsoever.

16.3.2 All MPBB monies must be submitted to the Treasurer within seven (7) days of receiving them.

16.3.3 The Treasurer must deposit all monies within fourteen (14) days of receiving them.

Madison Plains Band Boosters Bylaws

16.4 Bank Accounts:

16.4.1 The MPBB Treasurer shall maintain an account only in an FDIC insured financial institution.

16.4.2 To the extent possible, any FDIC account will not be subject to any fees.

16.4.3 All checks issued by the MPBB shall be signed by two (2) of the following:

16.4.3.1 President;

16.4.3.2 Secretary; or

16.4.3.3 Treasurer.

16.4.4 Authorized signatures shall not include any two (2) members of the same household. An officer may not countersign a check made payable to himself/herself or a member of their own household.

16.5 Student Accounts:

16.5.1 Fundraising Monies – Students will raise money through MPBB sponsored events. These monies will be allocated to each student's account and used toward outward expenses; i.e. band trips, camps, etc. on the student's behalf.

16.5.1.1 All unspent fundraising monies will remain in student accounts during the student's term in the band.

16.5.1.2 In the event a student completes his/her term in the band, by graduation or otherwise, all of such student's accumulated fundraising money shall be credited to the MPBB general fund unless existing fundraising money is transferred to a sibling's account.

16.5.1.3 Student accounts are transferable to other sibling accounts upon written request from the parent/guardian, and if said sibling will be a member of the Madison-Plains High School Band the next consecutive school year.

16.5.2 Personal Funding – Student accounts can be funded by personal cash/checks. These monies will be allocated to each student's account and used toward outward expenses; i.e. band trips, camps, etc. on the student's behalf.

16.5.2.1 At the end of each trip year (fiscal year end), all unspent personal funds will be reimbursed to the student or transferred to a sibling account upon written request from the parent/guardian.

Madison Plains Band Boosters Bylaws

- 16.5.2.2 At the end of each trip year (fiscal year end), any remaining personal funds not requested for reimbursement or transfer will automatically be credited to the MPBB general fund.
- 16.5.3 Funds placed into accounts may only be applied to band-related expenses; they may not be used to pay for school activities not associated with band programs.
- 16.5.4 It is the responsibility of families to audit their accounts and resolve any disputes in a timely fashion. All transactions are final at the close of the fiscal year in which they are recorded.
- 16.5.5 The Executive Board shall have the authority to vote on any matter relating to student accounts.
- 16.6 **Tax-Exempt Status:** The MPBB shall maintain tax-exempt status under Section 501 (c)(3) of the United States Internal Revenue Code.
- 16.7 **No Benefit of Earnings:** No part of the net earnings of the MPBB shall inure to the benefit of, or be distributed to, its members, officers, executive board or other private persons, except the MPBB 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 II hereof.
- 16.8 **Debt Liability:** Liability for debts of the MPBB shall be limited to the property of the MPBB.
- 16.9 **Ending Balance:** The Executive Board shall assure that a minimum balance of an amount adequate for the next years initial operating expenses will remain in the account.
- 16.10 **Insufficient Funds:** If more than one insufficient funds check is presented to the MPBB by the same party, no further checks will be accepted, only cash, cashier's check or money order. The party issuing insufficient funds checks must reimburse the MPBB for the amount of the check plus any applicable fees within thirty (30) days of notification of insufficient funds.
- 16.11 **Annual Report:** The Executive Board shall cause an annual report to be furnished not later than one hundred and twenty (120) days after the close of the organization's fiscal year to all officers of the organization and to any member and/or sponsor who request it in writing, which report shall contain the following information in appropriate detail:
- 16.11.1 The assets and liabilities of the organization as of the end of the fiscal year;
- 16.11.2 The principal changes in assets and liabilities during the fiscal year;
- 16.11.3 The revenue or receipts of the organization, both unrestricted and restricted to particular purposes, for the fiscal year;
- 16.11.4 The expenses or disbursements of the organization, for both general and restricted purposes, during the fiscal year;

Madison Plains Band Boosters Bylaws

- 16.11.5 The annual report shall be accompanied by any report thereon of independent accountants, or, if there is no such report, the certificate of an authorized officer of the organization that such statements were prepared without audit from the books and records of the organization.

Article XVII – Parliamentary Authority

- 17.1 The rules contained in the current edition of *Robert’s Rules of Order Newly Revised* shall be used to conduct all meetings and shall govern the MPBB in all cases in which they are applicable and in which they are not in conflict with these Bylaws or the Articles of Incorporation.
- 17.2 The MPBB has no authority to influence the band director, an employee of Madison-Plains High School or Middle School, in any of his or her duties. The schedule of contests, rules of participation, method of earning letters, award offices and all other criteria dealing with interschool programs are under the jurisdiction of the band director and the school administration.

Article XVIII – Indemnification

- 18.1 To the extent permitted by law, the MPBB shall indemnify any one or more of its officers or former officers, committee members or former committee members who was, is, or may be named defendant or respondent in any action, suit or proceeding or any inquiry or investigation as a result of his or her acts or omissions within the scope of his or her official capacity in the MPBB.
- 18.2 The indemnity under these Bylaws includes indemnity against judgments, penalties (including excise and other taxes), fines, settlements and reasonable expenses (including attorney’s fees) actually incurred in connection with of such an action, suit or proceeding or any inquiry or investigation.
- 18.3 The MPBB shall indemnify a person only if he or she:
- 18.3.1 Acted in good faith;
 - 18.3.2 Reasonably believed, in the case of conduct in his/her official capacity that his/her conduct was in the MPBB’s best interest;
 - 18.3.3 Reasonably believed, in all other cases, that his/her conduct was at least not opposed to the MPBB’s best interest; and
 - 18.3.4 In the case of any criminal proceeding had not reasonable cause to believe his/her conduct was unlawful.
- 18.4 The MPBB shall not indemnify a person who is found liable to the MPBB or is found liable to another on the basis of improperly receiving a personal benefit from the MPBB. A person is conclusively considered to have been adjudged liable by a court of competent jurisdiction and all appeals have been exhausted.
- 18.5 Before the MPBB may pay any indemnification expenses (including attorney’s fees), the MPBB must specifically determine (by majority vote of the members at a special meeting

Madison Plains Band Boosters Bylaws

called for this purpose) that indemnification is permissible, authorize indemnification, and determine that expenses to be reimbursed are reasonable.

Article XIX – Dissolution

- 19.1 Upon the dissolution of the MPBB, the Executive Board, after paying or adequately providing for the debts and obligations of the MPBB, shall distribute the remaining assets to one or more nonprofit funds, foundations or organizations which have established their tax exempt status under Section 501 (c)(3) of the Internal Revenue Code.

Article XX – Amendments to Bylaws

- 20.1 The members may amend these Bylaws at any regularly scheduled meeting of the MPBB by a two-thirds vote of the members present and voting. Notice of the proposed amendments shall have been sent to the Voting Members at least fourteen (14) days prior to the meeting at which the vote is taken.
- 20.2 The members may appoint a committee to submit a revised set of Bylaws as a substitute for the existing Bylaws only by a majority vote of the MPBB, or by a two-thirds vote of the Executive Board. The members shall adopt any revised Bylaws in the manner provided in section 20.1.