

**BALER BAND BOOSTERS CLUB  
BYLAWS**

**ARTICLE 1: NAME AND HEADQUARTERS**

**Section 1:** The name of this organization shall be the Baler Band Boosters Club (hereafter designated as "Club").

**Section 2:** The mailing address of this Club is P.O. Box 373, Hollister, CA 95024-0373.

**Section 3:** This Club is a 501(c) (3) non-profit organization.

**ARTICLE 2: OBJECTIVES AND PURPOSE**

The objectives and purpose of this Club are to support the activities of the SBHS Baler Band (hereafter designated as "Band") including the marching, concert and jazz bands, color guard and other auxiliary units by providing the following:

- A.** General support of extracurricular activities of the Band.
- B.** Financial support for the Band beyond that customarily offered by the SBHS District.
- C.** Developing and maintaining community interest and support in the Band.

**ARTICLE 3: MEMBERSHIP**

**Section 1:** The membership of this Club shall be classified as Regular Members and Associate Members.

**A:** A Regular Member is defined as "a parent or guardian of a student who is an active participant in the Baler Band." Only Regular Members shall be afforded the full rights and privileges of the Club including:

- 1. Voting privileges in elections and general Club meetings
- 2. Setting Club policies
- 3. Holding an elected Club office

**B:** An Associate Member is defined as "an adult member of the community, not currently attending high school, who has an interest in the Baler Band." The Band Director and staff shall be Associate Members to avoid conflict of interest as per IRS Code. Associate Members may participate in discussions and serve on committees at the discretion of the Board but may not vote.

**Section 2:** Membership dues shall be approved at the May general Club meeting and shall become effective with the new membership year beginning July 1 and ending June 30.

## ARTICLE 4: OFFICERS AND THEIR DUTIES

**Section 1: Elected Officers:** The elected officers of the Club shall be President, Vice-President, Secretary and Treasurer. These shall comprise the Board of Directors of the Club. The duties of the officers of the Club shall be:

- A. President:** The President shall preside at all business meetings of the Club and the Board. The President shall appoint, with the advice and consent of the Board, all Chairpersons of standing and ad hoc committees and perform all other duties ordinarily associated with the office of President. It shall be the duty of the President to ensure that the bylaws are enforced. The President shall be an ex-officio member of all committees.
- D. Vice-President:** The Vice-President shall perform the duties of the President in his/her absence and assist the President in all matters concerning the Club.
- E. Secretary:** The Secretary shall keep the minutes of the general meetings of the Club and of the Board meetings as well as perform all other duties ordinarily associated with the office of Secretary. The Secretary shall keep a complete and continually revised roll of the membership.

**Assistant to the Secretary:** An Assistant to the Secretary may be selected by the Secretary, with the advice and consent of the Board, to fulfill any duties of the Secretary (including the taking of minutes in the absence of the Secretary) with the exception of voting privileges at Board meetings. The Secretary shall inform the President prior to any meeting that the Assistant will perform the duties of the Secretary.

- F. Treasurer:** The Treasurer shall collect and be the custodian of all funds of the Club and shall pay out funds only upon the order of the Board or the general membership of the Club. The Treasurer prepares checks but may not sign checks. The Treasurer shall keep an itemized account of all receipts and expenditures and maintain physical control of the checkbook. The Treasurer shall perform all other duties ordinarily associated with the office of Treasurer.

**Assistant to the Treasurer:** An Assistant to the Treasurer may be selected by the Treasurer, with the advice and consent of the Board, to fulfill any duties of the Treasurer, with the exception of voting privileges at Board meetings. The Treasurer shall inform the President prior to any meeting that the Assistant will perform the duties of Treasurer.

**Section 2: Standing Committees:** The President, with the advice and consent of the Board, shall appoint a chairperson for each of the following Standing Committees:

- A. Fundraising:** It shall be the responsibility of this committee to develop and implement plans for raising funds to carry out the work of the Club including funds for the general support of the Club as well as for student accounts. All fundraising plans shall be submitted at the Board meeting prior to a general Club meeting for consideration and approval. Checks for fundraisers shall be made out to "Baler Band Boosters", not individuals.
- B. Hospitality:** It shall be the responsibility of this committee to plan, organize and execute all events involving food and refreshments. All expenditures for food and refreshments shall be approved by the committee Chair prior to purchase.
- C. Publicity:** It shall be the responsibility of this committee to pro vide press releases of current activities and notify the press of upcoming events.
- D. Archival:** It shall be the responsibility of this committee to maintain a historical record of Band and Club activities.
- E. Communications:** It shall be the responsibility of this committee to call or e-mail all regular Club members and/or Band members upon notice from the President or Band Director to communicate information, requests or upcoming meetings. It shall also be the responsibility of the committee to maintain the Club web site.
- F. Uniform:** It shall be the responsibility of this committee to assign, maintain, and keep an inventory of all Band uniforms. It shall also maintain grooming supplies for Band events.
- G. Liaison:** The President may appoint a person as a liaison representative to the Board, with the advice and consent of the Board, from an under-represented unit of the Club. This person may attend Board meetings at the request of the President. The need for this position shall be evaluated each year depending upon the makeup of the elected officers of the Board.
- H. Inventory Control:** The committee shall maintain a list of all Club assets and provide a current inventory at the end of the fiscal year for inclusion in the tax return.
- I. Ad Hoc Committees:** Ad hoc committees may be appointed by the Board for individual events and shall report to the Board.

**Section 3: Duties of the Board of Directors:**

**A. General Duties:** The Board shall:

6. Conduct the general business of the club
7. Prepare a budget for the following fiscal year
8. Fill vacancies on committees
9. Hear and act on member appeals
10. Sign contracts
11. Study policies, programs, and projects for proposal to the membership
12. Keep the general membership informed of activities

**B. Checking and Other Accounts:** Board members shall serve as the eligible signers on financial accounts with two (2) signatures required on all transactions. No checks shall be pre-signed. All signers shall evaluate documentation to determine the validity of the expenditure.

**C. Expenditures:** The Board shall not approve any expenditure beyond what is in the currently approved budget. In an emergency, the Board may call a special meeting of the general membership with forty-eight (48) hours notice to approve expenditures not currently funded in the budget. The Board may re-allocate funds up to \$100 from one budgeted account to another if the need is deemed immediate and cannot wait until the general meeting but this must be reviewed at the next general meeting.

**D. Preparation of the Budget:** In July of each year, the Board shall prepare a budget for the new fiscal year beginning September 1. This shall be at a Board meeting following the Fourth of July fundraiser. The Board shall consider written budget requests received by June 30 from the Band Director and regular members of the Club. New incoming Board members shall be invited to participate in budget meetings.

**E. Approval of Budget:** The budget shall be approved by a majority of regular members present at the July general meeting by secret ballot. Voters must be paid members of the Club by the June general meeting of the Club. The budget shall be balanced and can only utilize funds received during the past budget year ending August 31 or carried over from previous budgets. An estimate will be utilized for any funds expected to be received after the Fourth of July fundraiser but on or before August 31.

**F. Funding for Staff Positions:** Requests for the funding of staff positions must be submitted by June 30. The request must include a list of the duties of the position and salary comparisons with similar positions at five (5) other schools that have bands of similar size. Funding must be approved by membership of the Club as part of the annual budget. The President and Treasurer must sign reimbursement agreements with SBHS for staff positions.

**G. Events:** All events, for which Club funds are budgeted or expended, shall have a Chair appointed by the President, with the advice and consent of the Board. The Chair shall organize and supervise Club participation in the event, approve budgeted expenditures and report to the Board.

**H. Meetings:** There shall be a monthly meeting of the Board at a known, regular time. A Board meeting may be cancelled or re-scheduled by the President if he/she deems that there is insufficient need and with the agreement of the other officers.

**I. Minutes:** Minutes of the previous general meeting of the Club shall be made available by the Secretary during the next general meeting. Minutes of the previous Board meeting shall be made available at a general Club meeting upon request of two-thirds (2/3) of the Regular Members present.

**J. Accounting:** There must be an annual report on the books and accounts of the Club. This requirement will be satisfied by the submission of Federal Form 990 "Return of Organization Exempt from Income Tax" to the Board.

1. Any request for salaries not processed through SBHS and over \$600 must have a form 1099.
2. The Treasurer shall provide a Treasurer's report at each general meeting and make available the check register for perusal by any regular member.
3. The Board shall insure that no business owned or operated by a Club member may directly profit from a fundraiser.

**K. Audits:** An informal audit by the Board or their appointees should be done at the beginning of each new term of office or whenever a majority of the regular membership at a general meeting requests it. A formal audit by an outside agency may be requested by a two-thirds vote of the regular membership at a general meeting.

**L. Fiscal Year:** The fiscal year of the Club for financial, reporting and budgeting purposes shall begin on September 1 and end on August 31 of the following year.

## ARTICLE 5: ELECTIONS AND APPOINTMENTS

**Section 1: Nominating Committee:** The nominating committee shall consist of three (3) members appointed by the Board and announced no later than the April meeting. This committee shall present, at the May general meeting of the Club, a list of one or more candidates for each office. Candidates may also be nominated by the general membership if a request is turned into the Board by the May Board meeting with the signatures of at least ten (10) regular members.

**Section 2: Elections:** The election of officers shall be conducted by secret ballot at the June general club meeting. Only regular members may vote and must be paid members by the May general club meeting. The president votes only in case of tie. Ballots will be canvassed by any two officers in view of the membership. Officers will be elected by a majority of those voting. No absentee ballots will be allowed. The newly elected officers will assume office on August 1.

**Section 3: Recall Elections:** Officers may be recalled by a vote of the regular membership. A recall election shall be scheduled within seven days following receipt of a written petition signed by fifty percent (50%) of the regular members of the Club. The recall petition shall state the officers to be recalled and the reasons for recall. No officer shall be recalled without substantial reason. The recall ballot shall be by individual officer recalled and shall be by secret ballot. A two-thirds (2/3) vote of the entire regular membership shall decide the election. Candidates for the positions subject to recall shall also be on the ballot. Candidates for the Board shall be nominated by at least ten (10) regular members. Successful candidates for board vacancies created by a recall election shall immediately fill the unexpired term of the recalled officer until the next duly constituted election.

**Section 4: Appointments:** The President shall appoint the Chairpersons of all standing committees, with the advice and consent of the Board, by the July general Club meeting. Appointments should be made keeping in mind that representation from all units would be desirable. These Chairpersons shall assume office on August 1. All Chairpersons are responsible to and must report to the Board. Upon resignation or the unanimous vote of the Board, a new Chairperson shall be selected by the President, with the advice and consent of the Board.

**Section 5: Vacancies on the Board:** If the President resigns, the Vice-President becomes President. If any other officer resigns, a new interim officer shall be appointed by the President until an election can be held at the next general Club meeting to complete the term of the vacant position.

**Section 5A:** If a current board member is ageing out and nobody suitable is willing to fill the open position, the ageing out board member could retain position for a maximum 2, 1 year terms if approved by regular vote according to the By Laws (article 5 section 2).

## ARTICLE 6: MEETINGS AND QUORUMS

**Section 1: General Club Meetings:** A general meeting of the Club shall be held monthly at a regular time and place unless otherwise announced by the Board. A meeting may be cancelled if announced at the previous general Club meeting or by unanimous vote of the Board. Regular members should be given forty-eight (48) hours notice by telephone, mail or e-mail of a meeting cancellation by the Board or change in time or place.

**Section 2: Quorum:** A quorum for a general meeting of the Club shall be ten (10) paid regular members including officers. A majority vote shall decide all issues except a recall. The President shall vote only in case of a tie. A quorum for a Board meeting shall be the President or his designated substitute (the Vice-President) and two (2) other Board members. Motions approved at a Board meeting must have at least three (3) votes.

**Section 3: Addressing the Board:** Any member may address the Board by making a written request to the President at least forty-eight (48) hours prior to the scheduled meeting time, stating the specific item to be placed on the agenda.

**Section 4: Addressing the Membership at a General Meeting:** Any Regular or Associate member may participate in discussions at general Club meetings by raising their hand and being recognized by the President. Discussion must be pertinent to the agenda item being discussed. The President may limit discussion time. Items to be placed on the agenda must be transmitted to the President at least forty-eight (48) hours prior to the scheduled time for the next general Club meeting.

**Section 5: Special meetings at the Call of the President:** Special meetings may be held at the call of the President, providing that regular members have received forty-eight (48) hours advance notice by telephone, mail or e-mail. A special meeting may only discuss the agenda item(s) listed in the notice.

**Section 6: Special Meetings by Petition:** A special meeting of the membership may also be requested by written petition to the President with the signatures of at least ten (10) regular members. Such petition must include a statement of the matters to be brought before the meeting and the reason why it cannot be delayed until the regularly scheduled meeting. Upon receipt of such petition, the President must schedule a meeting within five (5) days. Only agenda item(s) listed in the petition may be addressed at a special meeting.

**Section 7: Parliamentary Procedure:** The parliamentary authority used by this Club is Robert's Rules of Order: Simplified and Applied, second edition, where they are not in conflict with the Bylaws of the Club.

**ARTICLE 7: TERMINATION OF THE ORGANIZATION:** Should the Club terminate its activities and dissolve, any funds in the treasury shall be disbursed to another non-profit music or other fine arts organization to be decided by a majority vote of the regular membership.

**ARTICLE 8: LIMITATIONS AND NON-DISCRIMINATION CLAUSE:**

**Section 1: Incompatible Actions and Undue Pressure:** No officers and members shall take any action on behalf of or in the name of the Club that is incompatible with its objectives, policies or programs. No member shall be influenced by outside pressure or exert undue pressure on another member to the detriment of the Club.

**Section 2: Solicitations and Contracts:** No member shall solicit funds in the name of the Club or enter into contracts in the name of the Club without approval of the Board.

**Section 3: Assessments:** No assessments collected by the Club shall be levied on the membership without approval at a general or special meeting of the Club.

**Section 4: Non-Discrimination Clause:** No member of this Club shall be discriminated against on the basis of race, color, national origin, gender, religion, age, disability, political beliefs, sexual orientation, and marital or family status.

**ARTICLE 9: ORDER OF BUSINESS:**

**Section 1: Order of Business for General Club Meetings:**

- Call to Order
- Reading of Minutes of Last Meeting
- Report of the Secretary
- Report of the Treasurer
- Request for Any Outstanding Bills
- Drum Major/Student Director Report
- Committee Reports
- Report of the Band Director
- Unfinished Business
- New Business
- Adjournment

## **Section 2: Order of Business for Board Meetings:**

Call to Order  
Reading of Minutes of Last Meeting  
Report of the Secretary  
Report of the Treasurer  
Committee Reports (Written, or in Person at the Request of the President)  
Report of the Band Director  
(President May Request Closed Meeting at This Point for Officers Only)  
Unfinished Business  
New Business  
Agenda for Next General Club Meeting  
Adjournment

## **ARTICLE 10: AMENDMENT AND ADOPTION OF BYLAWS**

**Section 1: Amendment of Bylaws:** Any revisions or amendments must first be presented to the Board at a Board meeting prior to the general Club meeting. Copies of the revisions or amendments must be received by the Secretary in writing at least seven (7) days prior to the Board meeting for duplication and provision of copies to Board members prior to the meeting. These Bylaws may be revised or amended by the majority of the regular members present at any general meeting provided written notice of the proposed revisions or amendments shall first be given to all members at least seven (7) days before the general meeting. Adequate discussion shall be allowed at the general Club meeting with the stipulation that amendments and revisions not be taken lightly. The balloting will be by secret ballot.

**Section 2: Effective date of Amendments:** The amendments or revisions will take effect as indicated in the motion for amendment or revision.

**Section 3: Approval:** These By-laws were officially adopted at the general meeting of the Baler Band Boosters on May 17,2004.