

Bylaws for the Switzerland Point Middle School Band Booster Association, Inc.

ARTICLE 1 – NAME

The name of this association shall be the “Switzerland Point Middle School Band Booster Association, Inc.”

ARTICLE 2 – PURPOSE

The purpose of the association is to enlist the cooperation of home, school and community in support of the instrumental program of Switzerland Point Middle School in St. Johns County, Florida; to promote a relationship between home and the instrumental program; to encourage the musical training of the students attending Switzerland Middle School; to educate the community and the general public on the musical needs of the students and to promote financial and volunteer support from the community and the public in general as needed.

The association shall operate exclusively for the benefit of the instrumental program at Switzerland Point Middle School.

The association shall abide by the guiding principles laid out in the current St. Johns County School Board “Clubs, Camps & Booster Guidelines” document

No substantial part of the activities of this association shall consist of carrying on propaganda, or otherwise attempting to influence legislation, except as outlined in section 501(h) of the Internal Revenue Code of 1986. Additionally, the association shall not participate or intervene in any political campaign (including publishing of distribution statements) on behalf of, or in opposition to any candidate for public office, except as provided in section 501(h) of the Internal Revenue Code of 1986.

The association shall not carry on any other activities not permitted to be carried on

1. by any association exempt from federal income tax under section 501(c), (3) of the Internal Revenue Code of 1984 (or corresponding provision of any future United States Internal Revenue Law) or
2. by an association contribution which are deductible under section 170(c) (2) of the Internal Revenue Code of 1986 (or corresponding provision of any future United States Internal Revenue Law).

The property of this association is irrevocably dedicated to section 501(c) (3) exempt purpose and no part of the net income or assets of this association shall ever inure to the benefit of any director, officer or member thereof, or to the benefit of any private purpose.

ARTICLE 3 – MEMBERSHIP

Section 1 – Types of Membership

- A. All parents or guardians of students enrolled in the instrumental music program of Switzerland Point Middle School are eligible to become voting members.
- B. Non-voting associate membership shall be available to the faculty and staff of Switzerland Point Middle School and the general public according to an appropriate fee schedule determined by the Executive Board in consultation with the Director of Bands.

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- C. The principal of Switzerland Point Middle School shall be considered an “Ex Officio” member of the association. Other honorary memberships may be granted by a vote of the Executive Board in consultation with the Director of Bands.
- D. The general membership shall be the combination of all membership types.

Section 2 – Voting Privileges

- A. Voting membership, as defined in Article 3, Section 1.A, is obtained by the payment of band and/or association membership fees.
- B. A motion shall be carried by a simple majority of the voting members present at a regular or specially called meeting at which a quorum is present. The Executive Board can alternatively elect to conduct an electronic vote outside a regular or specially called meeting. In such cases, a motion shall be carried by a simple majority of the voting members participating in the electronic vote.
- C. A quorum for a general membership meeting shall be a minimum of three Executive Board Members plus, the general membership present. A quorum for an electronic vote shall be three Executive Board Members, plus, 20% of the voting membership.
- D. A quorum for an Executive Board meeting shall be a minimum of three Executive Board Members.

Section 3 - Indemnification

No person who is now or later becomes an officer, director or member of this association shall be personally liable for an indebtedness of liability. Any and all creditors of this association shall look only to the association's assets for payment.

ARTICLE 4 – EXECUTIVE BOARD

Section 1 – General Duties and Qualifications of the Executive Board

- A. This association shall be governed by the Executive Board who are elected by the voting members of the general membership as provided by the association's bylaws.
- B. The Executive Board shall govern the operation of the association with the advice and consent of the voting members of the general membership and shall adhere to the association's rules as provided by the bylaws.
- C. Only voting members shall be eligible to serve on the Executive Board. Executive Board members qualify as voting members in the year for which they are elected to serve.
- D. No member shall serve more than two consecutive terms, as defined by these bylaws, in the same office.
- E. No more than one person from the same family shall serve concurrently on the Executive Board.

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Section 2 – Election of Executive Board Members

- A.** Executive Board Members shall be elected in the spring at a regularly scheduled meeting or a specially called meeting of the general membership announced to all of the members through any combination of electronic communications, written notices given to students, newsletters, mailings, telephone and/or other appropriate methods at least two weeks in advance. The time between elections and the end of the current Executive Board's term will allow time for transition between the outgoing and incoming Executive Board Members.
- B.** Term of office shall be August 1st – July 31st.
- C.** An officer may be removed by a two-thirds vote of the Executive Board or a majority vote by the association membership for failure to execute the duties of office as stated in these bylaws.
- D.** Executive Board Members are required to attend general membership and Executive Board meetings and are expected to attend association sponsored functions during their year in office. Any Executive Board Members who misses more than three meetings, (Executive Board and/or general membership) in one year will forfeit that office upon notification from the Executive Board.
- E.** Should a vacancy occur in the position of an officer as the result of resignation, removal, or failure to no longer qualify for service as defined by these bylaws, the Executive Board and the Director of Bands shall announce immediately, the vacancy to the general membership, through any combination of electronic communications, written notices given to students, newsletters, mailings, telephone or other appropriate methods, requesting volunteers to fill the vacant position. The Executive Board and the Director of Bands shall review and/or interview the eligible candidate(s), and appoint a qualified member, in good standing, to fill the vacant position for the remainder of the term.

Section 3 – Executive Board Members

- A.** President – the President shall preside at all meetings of the association and shall serve as liaison for the association to school administrators as needed by the Director of Bands. The President shall distribute parent communication as needed to the correspondence secretary. The President shall appoint a Nominating Committee Chairperson no later than February. The President shall serve as ex officio member of all committees except the nominating committee. The President will also coordinate under the direction of the Director of Bands the transportation and management of the hospitality for the band sponsored events and trips (i.e. FBA, yearly trips). The President will be responsible for coordinating committees for various band functions.
- B.** Vice President – the Vice President shall preside in the absence of the President. The Vice President shall be responsible for managing the distribution and care of band uniforms and the planning and implementing under the direction of the Director of Bands appropriate fund raising activities. The Vice President is also responsible for creating and managing committees to run fundraisers and the distribution of parent communication to the correspondence secretary. The Vice President will be responsible for coordinating committees for uniform and fund

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raising activities.

- C.** First Treasurer – the First Treasurer shall be responsible for the association's financial matters. The First Treasurer shall file all receipts for the association, keep a balanced account of receipts and expenditures and make an annual report to the association at the final regularly scheduled meeting of the year. Responsible for all local, state, and federal filings as defined in detailed Treasurers processes and procedures and be responsible for the auditing of the band's finances as required by the School Board, and/or other agencies. The First Treasurer shall disburse funds in accordance with the approved budget or as approved by a majority of the Executive Board or members. The First Treasurer shall distribute parent communication pertaining to association and student funds as needed to the correspondence secretary.
- D.** Second Treasurer – the Second Treasurer shall preside in the absence of the First Treasurer. The Second Treasurer will assist the First Treasurer as needed in managing the Association's finances. The Second Treasurer will maintain an accurate record of the association's assets, which includes all instrumentation, uniforms and any additional items purchased or donated, and maintained by the association.
- E.** Secretary – the Secretary shall be responsible for maintaining records and minutes of all meetings of the association and Executive Board, completion of grant applications for the association under the direction of the Director of Bands, maintain appropriate historical records of the association and band activities. The Secretary shall also be responsible for maintaining up-to-date membership lists and for communicating with band members about band activities and special needs. The Secretary is responsible for promoting the activities of the band to the general public.

ARTICLE 5 - COMMITTEES

- A.** Committees shall be established, as needed, to plan and implement the work of the association. The President, in consultation with the Director of Bands, shall appoint all committee chairs. These committees will consist of members in good standing and shall act in an advisory capacity to the board.
- B.** Nominating Committee. A nominating committee, consisting of three members in good standing, at least two of which are non-board members. This committee will present a list of nominees for all Executive Board positions to be elected according to the association's bylaws. The committee chair shall consult with the Director of Bands about potential nominees.
- C.** Auditing Committee. The auditing committee will consist of up to three members in good standing, and are not Executive Committee Members. This committee will communicate up to three times during the school year to review the association's financial records.
- D.** Executive Committee. The Executive Board Members and committee chairs shall constitute the Executive Committee.
- E.** Ex officio members. The President, Director of Bands and principal may serve as ex officio members of all committees, except the Nominating and Auditing Committees.

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- F.** Committees shall meet at the discretion of the chair. Committees shall be responsible for maintaining accurate records of all activities and reporting such to the association.

ARTICLE 6 - MEETINGS

- A.** General membership meetings shall be scheduled a minimum of two times during the school year at the discretion of the Executive Board and Director of Bands. All of the Members shall be notified through any combination of electronic communications, written notices given to students, newsletters, mailings, telephone and/or other appropriate methods. The First Treasurer shall provide a current financial report that lists the amounts spent in each line item of the approved budget and any additional approved expenditures. A quorum for the general membership meeting shall be a minimum of three Executive Board Members plus, the general membership present.
- B.** The Executive Board meetings shall be scheduled each month during the school year. All Executive Board meetings, shall be open to the general membership, in accordance with Florida Sunshine Law. Only the members of the Executive Board will have voting privileges at an Executive Board meeting. Any additional Executive Board meetings will be at the discretion of the Executive Board as needed. A quorum for an Executive Board meeting shall be a minimum of three Executive Board Members.
- C.** The President or Director of Bands, in consultation with the Executive Board, shall have the authority to call special meetings of the association with at least one week advance notice to members.
- D.** Meetings shall be conducted within the guidelines of the bylaws.
- E.** The latest edition of "Robert's Rules of Order" shall be the parliamentary authority for all meetings. The Director of Bands and/or the President shall have the authority to appoint a parliamentarian to serve as needed. The parliamentarian does not have to be a voting member of the association.

ARTICLE 7 - FINANCES

Section 1 – Fiscal Year

The fiscal year for the association shall be August 1st – July 31st.

Section 2 – Fiscal Repository

The Treasurers, in consultation with the Executive Board, shall be responsible for selecting an appropriate financial institution for maintaining the association's finances.

Section 3 – Fees

- A.** Fees shall be determined by the Director of Bands and the First Treasurer, in consultation with the Executive Board, and presented to the full general membership in a meeting that has been duly called or scheduled, in which a quorum is present, for approval.
- B.** Fees are non-refundable except in cases of hardship as determined by the majority of the

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Executive Board, in consultation with the Director of Bands, at a scheduled meeting.

- C. Fees for students who join the band program after the beginning of the school year will be determined by the Director of Bands, in consultation with the Executive Board.

Section 4 – Student Accounts

Funds in a student account at the end of each school year or when the student leaves the band program for any reason are nonrefundable and nontransferable.

Section 5 – Budget

- A. The Director of Bands and the First Treasurer shall prepare a budget for the fiscal year to be approved by the Executive Board and then the general membership in a meeting that has been duly called or scheduled in which a quorum is present.
- B. Amendments to existing line items up to \$500 may be approved by the board. Amendments by the board shall not exceed \$2000 per fiscal year. Amendments necessary after reaching the \$2000 limit must be approved by the general membership.

ARTICLE 8 – AMENDMENTS

- A. The bylaws may be amended by a simple majority vote of the voting members at any general membership meeting that has been duly called or scheduled and in which a general membership quorum is present.
- B. General membership shall be notified at least two weeks in advance of the proposed amendments. The notification will include each “Article” or “Section” as it appears in the current Bylaws and show the proposed changes and or additions, to be voted on by the general membership.
- C. A Bylaws Committee shall be formed every three years to review, and to amend the bylaws as deemed necessary. A Bylaws Committee may also be formed by a vote of the general membership.

ARTICLE 9 – DISPUTE RESOLUTION

The Director of Bands and Executive Board will be responsible for any key decisions for the benefit of the instrumental program at Switzerland Point Middle School. If for any reason the Director of Bands and the Executive Board cannot reach an agreement, and after consultation with the principal for an issue resolution, then the issue will be presented to the general membership for a vote.

ARTICLE 10 – DISSOLUTION

Upon dissolution of the association, all assets shall be given to Switzerland Point Middle School, for the benefit of the instrumental music program, or, if it ceases to exist, Switzerland Point Middle School, in general or, if it ceases to exist, the St. Johns County School District, for use in a mutually agreed manner. However, if the named recipient is not then in existence or no longer a qualified distribute or unwilling of unable to accept the distribution, then the assets of the association shall be

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distributed to a fund, foundation or organization which is organized and operated exclusively for the purposes specified in section 501(c) (3) of the Internal Revenue Code and which has established its tax-exempt status under that section.

ADOPTED and AMENDED May 3rd 2012

Officers:

Jill Williams, President
Kris Wehmeier, Vice President
Janece Bevans-Kerr, First Treasurer
Karen Stellhorn, Second Treasurer
Rebecca Marra, Secretary

Bylaw Committee:

Robert Clay, Chairperson
Julia Mitchell
Suzanna Palmer

Director of Bands:

Laurie Zentz

AMENDED November 1st 2012

Officers:

Rebecca Marra, President Suzanna Palmer, Vice President Robert Clay, First Treasurer
Mike Rafferty, Second Treasurer Tamara McAbee, Secretary

Director of Bands:

Laurie Zentz

AMENDED October 13, 2014

Officers:

Carol Higley, President
Netta Merwin, Vice President
Clair Jordan, First Treasurer
Alycee Keith, Second Treasurer
Michelle Bedell, Secretary

Bylaw Committee:

Carol Higley, Chairperson

Director of Bands:

Laurie Zentz