

San Marcos High School Music Boosters
BYLAWS

ARTICLE I
NAME

This organization will be called San Marcos High School Music Boosters (SMHSMB).

ARTICLE II
PURPOSE

The purpose of this organization is to provide financial and volunteer support to the San Marcos High School (SMHS) music program for the purpose of enhancing the educational, social, and music experience of its students and the community.

This organization is created exclusively for charitable and educational purposes within the meaning of Section 501(c)(3) of the Internal Revenue Code. All funds raised by the organization shall be administered by the Executive Board to benefit students in the program as a whole. There shall be no control of funds by individual members of SMHSMB and funds shall not be expended preferentially for the benefit of individual members of the SMHS music program.

Notwithstanding any provision of these articles, the organization shall not carry on any other activities not allowed

1. By an organization exempt from Federal income tax under section 501(c)(3) of the Internal Revenue Code of 1954 (or the corresponding provision of any future United States Internal Revenue Law) or
2. By an organization to which contributions are deductible under Section 170(c)(2) of the Internal Revenue Code of 1954 (or the corresponding provision of any future United States Internal Revenue Law).

ARTICLE III
MEMBERSHIP

All parents or guardians of students currently enrolled and actively participating in music programs at San Marcos High School are members of the organization. Parents or guardians of incoming students shall be members of the organization starting on the June 1 prior to their student's initial year at SMHS. No annual fee is required for membership.

ARTICLE IV EXECUTIVE BOARD

1. The Executive Board shall consist of a President, 1st Vice President, 2nd Vice President, Secretary, and Treasurer. These positions are voting members of the Executive Board.
2. The Executive Board will meet once each month during the school year, unless otherwise ordered by the Board. The President or either 1st or 2nd Vice President may call special or additional meetings of the Board.
3. The Executive Board will carry out the purpose of SMHSMB as stated in Article II and determine all expenditure of funds.
4. The Executive Board will prepare or cause to be prepared required documents or filings necessary to maintain legal incorporation and designation as a 501(c)(3) organization.
5. Each Executive Board position shall be entitled to cast a single vote in any matter that is brought for consideration. In the event that a Board position is shared by two individuals, their individual votes shall be counted as ½ each when both are voting on the same motion.

ARTICLE V MEETINGS

General membership meetings of the organization will be held a minimum of two times during the program year. At the first General Meeting, held in August, the proposed budget for the year will be presented and approved by the Executive Board. At the final General Meeting, to be held in April, the incoming officers shall be elected by vote of the general membership and an accounting of the monies received and expended, or anticipated to be expended during the current fiscal year, shall be presented to the general membership.

Executive Board meetings will be held on the campus of SMHS whenever practicable. In the event an off-campus site must be used, a similarly suitable location shall be utilized. Any interested party may attend these monthly meetings. The date, time, and location of these meetings will be widely publicized to the general membership.

Official business of the organization shall be conducted in open session by the Executive Board. The Executive Board may utilize executive (“closed”) session to discuss matters related to personnel or legal issues when individual privacy, contractual negotiations, or the legal well-being of the organization may be compromised by public discussion. The Executive Board will first convene in open session and identify which issue(s) will be discussed and cite the applicable exception. All final actions, decisions, or votes will be made in open session.

An Executive Board member who misses two consecutive meetings without cause will be considered to have resigned their position on the Executive Board and that position will be filled by appointment by the President with approval of the Board.

Urgent matters requiring immediate action may be reviewed and approved by the Executive Board via electronic media. Votes shall be tallied by the Board President. The result of any such vote shall be entered into the record by the Board Secretary at the next scheduled Board meeting. In the event the President is not reasonably available, the 1st Vice President shall conduct the poll and report the results.

ARTICLE VI ELECTION OF OFFICERS

1. Elected officers of the Organization will be as follows: President, 1st Vice President, 2nd Vice President, Secretary, and Treasurer. Positions may be shared between two individuals if that is requested by both individuals.
2. The President, 1st Vice President, and Treasurer shall be members of SMHSMB at the time of their election. Parents or guardians of incoming students shall be eligible for election to the 2nd Vice President or Secretary positions only. Elected officers must be eligible members of the SMHSMB throughout their term of office.
3. All officers will be elected for a term of one year by a vote of the general membership at the April General Meeting. All officers will be eligible to hold the same office for a maximum of three consecutive terms.
4. The 2nd Vice President shall be chair for the Nomination Committee, which shall be formed at the February meeting. The Nomination Committee shall consist of three general members and shall consult with the Music Director throughout the nominations process and prior to presenting the slate.
5. The Nomination Committee shall submit a slate of officers at the March meeting, at which time additional nominations may be made from the floor, providing nominees are present or have given written notice of their consent to be nominated from the floor.
6. Officers for the upcoming year shall be elected at the April General meeting.
7. Incoming Executive Board members will assume their duties on June 1st immediately following their election.
8. Outgoing Executive Board members will serve in their elected capacity through and including May 31st following the election of the incoming board and may serve as advisors to the incoming Board until June 30th.
9. Any Executive Board vacancies throughout the year will be filled by Presidential appointment with the approval of the Executive Board.
10. If the President resigns prior to the end of his/her term, a closed election will be held by the voting Board members to fill this position for the remainder of the term.

ARTICLE VII OFFICERS AND DUTIES

1. The President will preside at all meetings, will be an ex-officio member of all committees, and will take leadership in the operations, communications and support activities of SMHSMB. The President will meet with the Music Director and Treasurer to draft the budget for each fiscal year, which will be presented at the first meeting of the year. The President will maintain regular communication with the Music Director(s). After the term of his/her office, the President may serve as advisor to the Board in the role of Past President, if so requested. The President shall have copies of all forms, minutes, agendas, passwords, keys, and financial information in his/her possession for the term of office, and pass this information on to the incoming President by May 31st.
2. The 1st Vice President will be first in line of succession to the office of the President should the President be temporarily unable to fulfill his/her duties. The 1st Vice President will take leadership in planning and carrying out the logistical activities of SMHSMB and managing communications with suppliers in coordination with the President. All documents concerning logistical activities, including contracts, contact information, and results of logistical efforts should be kept in his/her possession, with copies provided to the President, and the complete file turned over to the incoming 1st Vice President by May 31st.
3. The 2nd Vice President will be second in line of succession to the office of the President should the President and 1st Vice President be temporarily unable to fulfill his/her duties. The 2nd Vice President will take leadership in arranging and carrying out the fundraising activities of SMHSMB, and managing communications with donors and sponsors in coordination with the President. All documents concerning fundraising activities, including contracts, contact information, and results of fundraising efforts should be kept in his/her possession, with copies provided to the President, and the complete file turned over to the incoming 2nd Vice President by May 31st.
4. The Secretary will keep an accurate record of all the proceedings of each meeting, especially regarding motions and votes, and will be prepared to read, on call, the record of any previous meetings. In conjunction with the President, the Secretary will coordinate communications from the organization to its members. The Secretary will prepare a summary of all unfinished business for the President. The Secretary will keep notes throughout the year on any recommended changes to the Bylaws, and will provide the revised Bylaws for approval when requested. The Secretary will process all correspondence received by SMHSMB. The Secretary will keep each month's agenda, original minutes, and revised minutes (if needed) for the period of his/her term, and provide copies of these documents monthly to the President. The Secretary will turn this information over to the incoming Secretary by May 31st.
5. The Treasurer will keep an accurate account of all money received and expended and will report to the Executive Board each month and written copies of that report. The Treasurer will meet with the Music Director and President to draft the budget for each fiscal year, which will be presented at the first meeting of the year. At the end of year the Treasurer will provide a final report in writing. The Treasurer will keep copies of all important organizational documents, (including proof of SMHSMB EIN, 501(c)(3) determination letter, records of bank account numbers and locations, and any contracts. These documents should be in a binder in the possession of the Treasurer, with additional copies filed in the music booster office at SMHS. The Treasurer will turn over all records to the incoming Treasurer by May 31st.

ARTICLE VIII STANDING COMMITTEES AND ENSEMBLE LIAISONS

1. Standing committees will be created by the Executive Board as may be required to carry on the work of the Board. The committees and committee membership will be determined annually. Descriptions of each committee will be provided as necessary.
2. The Executive Board may appoint liaisons to smaller ensembles, when appropriate, to facilitate communication between those ensembles and the Executive Board.
3. Chairpersons of standing committees and ensemble liaisons will be recruited from the general membership of SMHSMB and approved by the Executive Board.
4. The term of appointment for these chairpersons and ensemble liaisons shall not exceed the term of the Executive Board that appointed them.
5. Chairpersons and ensemble liaisons will keep all documents and records relevant to the committees or ensembles during their term of appointment, and turn these records over to the President by May 31st of each year.

ARTICLE IX AMENDMENTS

The Bylaws may be amended when necessary by a majority vote of the Executive Board at any General or Executive Board meeting.

ARTICLE X PARLIAMENTARY AUTHORITY

The parliamentary authority of SMHSMB shall be “Roberts Rules of Order.”

The following information is listed in order to clarify voting procedures:

- a. Committee chairs and ensemble liaisons are not voting members of the Executive Board.
- b. A quorum of the Executive Board will consist of 4/5 of the voting positions.
- c. When a quorum is present at an announced SMHSMB Board meeting, a simple majority vote is sufficient for the adoption of any motion.

ARTICLE XI DISSOLUTION

If SMHSMB should dissolve, after paying or adequately providing for the debts and obligations of the organization, all remaining assets of the organization are to be donated to San Marcos

High School, to be used for music education purposes. If San Marcos High School should dissolve, or is unwilling or unable to accept the distribution, then the assets of the organization shall be distributed to the San Marcos Educational Foundation or to a fund or foundation as described in Section 501(c)(3) of the Internal Revenue Code. The property of SMHSMB is irrevocably dedicated to charitable purposes and no part of the income or assets of SMHSMB will ever inure to the benefit of any Music Director, officer, or member thereof or to the benefit of any private person.

ARTICLE XII STANDING RULES

1. A meeting of the Executive Board and the Executive Board-elect may be called to ratify chairpersons for standing committees for the following school year, and to make plans for the coming year's work.
2. At the May Executive Board meeting, a copy of the Bylaws will be given to each member of the Executive Board-Elect. Executive Board-Elect members will be responsible for making a thorough study of the Bylaws. A copy of these Bylaws will be made available to any member of SMHSMB upon request.
3. The Music Director(s), President, and/or President-elect shall meet during April to discuss the activities and calendar for the upcoming year. The activities will be presented to the existing Executive Board at the May Executive Board meeting.
4. All officers, committee chairs, and ensemble liaisons will turn over all records to the incoming President by May 31st.
5. A minimum of one month's (1/12) of the current year's budgeted operating expenses must be kept in the checking account at all times. If funds drop to a level nearing two month's (2/12) of the year's budgeted operating expenses at any time, the Treasurer must notify the Executive Board and the Music Director in writing. Upon notification, the Executive Board and Music Director shall immediately implement cost-cutting measures and initiate fundraising activities to remedy the financial position.
6. All consulting agreements will include the statement, "subject to cancellation with 30 days' notice by either party".
7. The annual budget will be approved at the first General meeting each year. Amendments to the budget can be proposed and voted on at board meetings. Once the budget is approved and funding has been secured, any expenditures that fall within an established category do not need to be approved by a vote.
8. The incoming President and Treasurer shall jointly change the computer access passwords to any computer accounts used for banking, accounting, or email communications with the general membership. In the event that either of these individuals resigns or vacates their position, the remaining Officer and 1st Vice President will change the access passwords at the earliest possible opportunity.

9. All monies collected in the operation of SMHSMB shall be turned over to the Treasurer except where SMHS policy requires monies collected be managed by SMHS. In such cases, funds turned over to SMHS will be tracked by SMHSMB in order to assure that funding is used to support the SMHS music program. Approved expenses shall be promptly reimbursed upon presentation of acceptable documentation.

10. No person shall enter into a contract on behalf of SMHSMB without prior approval of the Executive Board.