

Lemon Bay Band Boosters
Bylaws
Adopted and Approved 07/28/2015
Amended 02/13/2017, 08/13/18
Article I. Introduction
Article II. Principle Offices
Article III. Membership
Article IV. Meetings
Article V. Election of Executive Board
Article VI. Duties of the Executive Board
Article VII. Financial Activities
Article VIII. Amendments to the Bylaws
Article IX. Dissolution

Article I – Introduction

1.01 Definition of Bylaws – This document shall serve as the code of rules and regulations of the Lemon Bay Band Boosters, Inc. as it relates to all business of the organization.

1.02 Definition and Terms – For the purposes of this document, the following definitions and terms are used for clarification within the proceeding articles and sections of this document:

- A. Lemon Bay Band Boosters, Inc. shall herein be referred to as “Band Boosters”
- B. Lemon Bay High School Band Program shall herein be referred to as “Band Program”
- C. Executive Board shall herein be referred to as “Board”
- D. Band Booster Members shall herein be referred to as “Members”
- E. Lemon Bay High School Band Program Students shall herein be referred to as “Students”
- F. “Fundraisers” shall mean general account fundraisers
- G. “Special Fundraisers” shall mean any other fundraiser designated as such
- H. “Donations” shall mean donations made by private donor

1.03 Purpose and Powers – This organization shall have all the purposes and powers as stated in its Articles of Incorporation, including those specifically granted of 501 ©3 non-profit organizations.

The primary purposes of this organization is as follows:

- A. To advance the musical and educational goals of the Band Program as defined by the current Band Director.
- B. To promote and advance causes or events that are directly related to above said goals through fundraising and volunteer efforts, whether these causes were organized by the Band Boosters or not.
- C. To promote parent and community support, both operationally and financially, for the Band Program and its Students.
- D. To promote and educate Members about music advocacy issues that are determined by the Director as impactful to the future and success of the Band Program and its Students.

Article II – Principal Offices

2.01 Mailing and Correspondence – The Boosters shall maintain a post office box for all mailings and correspondence related to the business and operations of the organization. The address for all mailings and correspondence is hereby listed as: PO Box 406, Englewood, Florida 34295

2.02 Physical Address – The physical address of the Band Boosters shall be maintained as the same address of Lemon Bay High School. The physical address is hereby listed as: 2201 Placida Road, Englewood, FL 34224

Article III – Membership

3.01 Definition of Membership – Membership in the Band Boosters for purposes of conducting official business:

- A. Full Members shall be defined as any parent or guardian with a son or daughter currently enrolled in the Band Program. Full Members have the following rights and privileges:
 - a. Attend meetings of the General Membership
 - b. Volunteer and participate in any activities organized by the Band Boosters
 - c. Participate in discussion on all official business motions
 - d. Initiate, amend, second, and vote on any motion that comes before the General Membership during any meeting
 - e. Participate as a member or chair of any standing committee
 - f. Serve as a member of the Board in any capacity

3.02 Good Standing of Members – Any Member shall retain all listed rights and privileges as long as they are considered in Good Standing within the organization. Specific criteria for Full Members is as follows:

- A. Full Members shall be considered in Good Standing as long as there are no outstanding financial obligations due on behalf of their son or daughter to either the Band Boosters or to the Band Program. Full Members shall also be considered in Good Standing until such time as there is cause to remove an individual from this status.
- B. Loss of Good Standing status still allows Members to attend General Meetings of the Band Boosters

3.03 Discipline of Members – The Board is authorized to take disciplinary action against any Member for any conduct detrimental to the Band Boosters. This includes loss of Good Standing status and possible expulsion of a Member from the Band Boosters.

- A. Any member displaying disrespectful or inappropriate behavior at any Band or Board function may immediately be asked to leave the function by the Director or his liaison.
- B. Any member of the Board may make a motion for discipline of a Member at any Executive Board meeting. A 2/3 majority of the Board is required for disciplinary action to be approved.
- C. The Band Director may immediately suspend any Board member from their duties in instances of formal misconduct (fraud, theft, etc.). Final disciplinary measures will be

determined by a simple majority Board vote.

Article IV – Meetings

4.01 General Meetings – The Band Boosters will hold one General Meeting for all Members on a monthly basis, with the schedule of meetings to be determined by the elected Board.

4.02 Special Meetings – A Special Meeting may be called if there is sufficient important business to bring before the membership determined by the Band Director or the Board in the following circumstances:

A. A regularly scheduled meeting has been cancelled due to unforeseen circumstances

B. Special business that must be presented for the membership of a time sensitive nature

4.03 Quorum of Members – All Members present at a General Meeting shall constitute quorum for the purposes of conducting business.

4.04 Roberts Rules of Order – The Band Boosters shall adopt and follow “Robert’s Rules of Order Newly Revised (11th Edition)” as the official parliamentary procedural guide for this organization.

Article V - Election of Executive Board

5.01 Eligibility – Any Member of the Band Boosters who is in Good Standing is eligible to hold a position on the Executive Board. No individual may be elected to the same position on the Executive Board for more than 2 consecutive years.

5.02 Elected Positions – The elected positions of this organization are President, Vice-President, Secretary, Treasurer, Co-Treasurer (optional). These elected positions, along with the Band Director, shall constitute the Executive Board

5.03 Term of Office – The term of office for each elected position shall be for one year, and each elected member will assume their position at the conclusion of the last regularly scheduled General Meeting held in May. on the last day for students of that particular school year OR June 1 (whichever comes first).

5.04 Nominations for Executive Board – Any member in Good Standing may be nominated, or nominate themselves for any elected position on the Executive Board.

5.05 Vacant Board Positions – If any Executive Board position is vacant after such time as elections have been held and accepted, the position may be filled by appointment by the President with approval from the Executive Board.

5.06 Voting Eligibility of Membership – Any Member in Good Standing with a student entering 10th, 11th, or 12th grade at Lemon Bay High School is eligible to vote in Booster Board elections for the following school year. Additionally, parents/guardians of incoming 9th grade students are eligible to vote in Booster Board elections for the following school year. Parents of graduating seniors may not vote in Booster Board elections for the following school year.

5.07 Election Procedures – Elections for Booster Board positions shall be conducted at the April General Band Booster Meeting. The elections will be conducted as follows:

- A. Elections for each office will be held in the General Meeting held in April of each year. The Band Director will preside over the Booster Board Elections.
- B. Nominations will be taken. Any Member in Good Standing may self-nominate or be nominated by another Member in Good Standing. Each nominee will be permitted to give a short introduction and state their qualifications for the position (not to exceed 3 minutes).
- C. Voting will commence via secret ballot.
- D. Each position will be awarded to the candidate who receives a simple majority vote for the position.
- E. Votes will be tallied and verified by the Band Director and an outgoing Board member (or LBHS administrator if no outgoing Board members are available).
- F. If no candidate receives a simple majority for a position, a run-off election will be held for the candidates receiving the most votes. A simple majority is required in the run-off to win the election.
- G. If there is only one candidate for a position, the candidate must receive a simple majority affirmation vote (“Yes” or “No”) to be elected to the position.

Article VI – Duties of the Executive Board

6.01 Meetings – The Executive Board shall meet monthly or as required to conduct the necessary business of the organization. A majority of the Board shall constitute a quorum. The Board shall be responsible for the following items:

- A. Formulate an agenda for General Meetings with guidance from the Band Director.
- B. Transact necessary business in the intervals between meetings.
- C. Create standing committees and approve the plans of said committees.
- D. Establish a list of standing rules for General Meetings.

6.02 Duties of the President – The President shall discharge the duties normally associated with this office, including overseeing and conducting meetings of the Executive Board and General Meetings. In collaboration with the Band Director, the President shall maintain and create an agenda for all Executive and General Meetings. They shall also serve as a representative for the Lemon Bay Band Boosters for official purposes as needed. The President may also appoint any Member in Good Standing to fill any vacant Board positions with the approval of the other members of the Board.

6.03 Duties of the Vice-President – The Vice-President shall serve as ex-officio member to all created committees and report on all committee activities to the Executive Board. The Vice-President shall also assume any of the duties of the President as needed.

6.04 Duties of the Secretary – The Secretary shall be responsible for maintaining an accurate record of minutes for all meetings and making these items available for all members as requested or within 7 days following the meeting

6.05 Duties of the Treasurer – The Treasurer shall collect all money and pay all authorized bills. The Treasurer shall also be bonded, and that bond shall be paid each year by this organization. They shall submit a detailed accounting report at each General Meeting, accurate and up-to-date to within 5 business days of any scheduled meetings.

6.06 Duties of the Co-Treasurer (optional) – The Co-Treasurer shall assist the Treasurer with any duties already assigned to that position. The Co-Treasurer shall not have voting rights during votes solely involving the Board.

6.07 Duties of the Band Director – The Band Director shall serve as an ex-officio member of the Board. The Band Director shall provide all information about the Band Program's activities and goals to the Band Boosters, and establish specific areas of assistance needed from the organization. The Band Director shall also submit an operational budget to the Band Boosters to meet these listed needs. The Band Director shall serve as a tie-breaking vote as needed in any meetings. The Band Director shall retain veto power against any action by the Board which would 1) violate Charlotte County Public Schools or Lemon Bay High School policies or 2) prove to be detrimental, in the best judgment of the Band Director, to the interests of the Lemon Bay High School Band Program.

Article VII – Financial Activities

7.01 Non-Profit Status – Being a non-profit corporation as recognized by Internal Revenue Service code 501©3, all funds earned by this organization shall be used for operation purposes as outlined in Article I of these bylaws

7.02 Fundraising Activities – All fundraising activities must be approved by the Board before being presented to the Members. The Band Director reserves the right to determine to what degree students will participate in any approved fundraiser.

7.03 Budget – The Board, with guidance of the Band Director, shall create and establish a balanced budget for the upcoming school year. All items within the budget must be approved by the Board by a 2/3 majority prior to the first day of school for students. The established budget shall be presented to the membership at the first General Meeting.

7.04 Disbursement of Funds – Any disbursement of monies for which there is an approved budget category will not require approval, so long as the requested payment does not exceed the budgeted allotment for the current operating year.

A. Non-budgeted transactions in an amount less than \$500.00 may be made without approval of the Board, so long as all items are submitted to the Board for inclusion in the Treasurer's report.

B. Any disbursements which are projected to be in excess of \$500.00 must be presented to the Board for discussion and approval.

C. A reserve account shall be established and maintained. This account shall be maintained with the following provisions:

a. The reserve account shall be funded with 10% of the proceeds from all concerts and fundraisers during the course of the year. The reserve account shall also be funded with 10% of the current funds in the general account on the first of July in

each year.

b. Disbursement of funds from the reserve account shall be handled in one of two ways:

i. A written motion presented during a General Meeting of the Members, clearly stating the usage of reserve account funds. The motion must have a 2/3 majority in order to be successful

ii. In the event of emergency, a written motion by the Band Director to the Board may be presented and approved with 2/3 majority vote from all members of the Board. All Board members must vote in order for the motion to succeed.

c. Any private donations made to Band Boosters shall be applied per the directory of the donor or, if not, may be applied at the discretion of the Board. (See attached LBHS Band Fundraiser Information & Tracking Form)

d. All special fundraisers shall be exempt from this section (See attached LBHS Band Fundraiser Information & Tracking Form)

7.05 Reimbursement of Personal Funds – The Band Boosters shall reimburse individual funds spent under the following conditions:

A. The spent funds fall within an approved budgeted category or were previously approved by the Board and/or Members.

B. A receipt of the personal funds spent is submitted to the Treasurer no more than 30 days after the purchase has taken place.

7.06 Required Tax Filings – The President and Treasurer shall jointly create and submit all necessary tax documentation for the Band Boosters in January of each calendar year. All necessary documents shall be compiled, completed, and presented to the Board in February before being officially submitted to the Internal Revenue Service.

Article VIII – Amendments to the Bylaws

8.01 Procedure for Amending Bylaws – Any member may submit a request to make additions or amendments to these established bylaws through the following procedures:

A. The amendment must be presented as a written motion at a General Meeting, and open for discussion. The written form must include exact language to be added, along with a rationale for the amendment.

B. Discussion to the General Membership shall take place, and the motion will receive a first vote. A simple majority vote is required for passage. If successful, the amendment will go to the Board for discussion and review. If not successful, the amendment does not continue.

C. After review by the Board, the amendment is presented at the next General Meeting in its finalized written form, along with any language in the current bylaws it will replace. The amendment will be presented, and a brief period for discussion will be entertained. Once the discussion period has ended, the amendment will be voted on. A 2/3 majority vote is

required for adoption of the amendment.

Article IX – Dissolution

9.01 Reasons for Dissolution – As this organization has been formed to assist Band Program, if for any reason this group fails to adequately meet the purposes established in Article I, there is just cause for dissolution of the group.

9.02 Initiation of Dissolution – The Band Director, with approval of the school administration, may initiate dissolution if it is determined that just cause for dissolution is established. The following steps shall take place in the event of the Initiation of Dissolution:

A. A Special Meeting of the Executive Board shall take place within 7 business days to discuss the specific cause of the initiation for dissolution. A discussion shall take place of changes that need to occur in order for the Band Boosters to remain viable as an organization.

B. If a resolution is reached at the Special Meeting, the initiation can be terminated at any time by the band director. If the Special Meeting does not satisfactorily address all concerns, the initiation shall continue.

C. A Special Meeting of the General Membership shall be called within 7 days of the Board meeting to receive input and notify all members of the initiation of dissolution. If the Special Meeting does not satisfactorily address all concerns, the dissolution of the Band Boosters shall occur.

D. All remaining funds of the Lemon Bay Band Boosters will then be turned over to the high school principal upon dissolution of this organization, with no money reverting to the members of this organization. All physical properties shall be turned over to the school principal, and the organization shall be dissolved in all legal capacities.