

FHNBBA By-Laws Adopted January 21, 1992

Francis Howell North Band Boosters Association

REVISED April 2022

ARTICLE 1: NAME

The Corporation is known as the Francis Howell North Band Boosters Association (FHNBBA) and is referred to in the Document as The Boosters.

ARTICLE 2: PURPOSES AND POLICIES

- Section 1: To individually and collectively lend all the support possible, both moral and financial, that is presently not being provided by the school district, to the Bands. Bands defined as, including but not limited to, Symphonic, Concert, Jazz, Marching, Color Guard, Winter Guard and Drumline.
- Section 2: To harmoniously cooperate with school personnel in charge of the instrumental music department and with the school administration in a diligent effort to provide the highest level of music opportunities to participating band students.
- Section 3: The Boosters shall be noncommercial, nonpartisan, nonsectarian, and nondiscriminatory in regard to gender, age, creed, color, or national origin.
- Section 4: By-Laws will be reviewed every four (4) years by the By-Laws committee whose members will be appointed by the President and chaired by the President.
- Section 5: The Boosters is organized and operated exclusively for charitable and educational purposes within the meaning of Section 501 (c) (3) of the Internal Revenue Code. The corporation may do business, carry on its operations, and exercise the powers granted by the Statutes of the State of Missouri, including, but not limited to, Mo. Rev. Stat. § 355 et seq. (“The Missouri Nonprofit Corporation Act”).

ARTICLE 3: MEMBERSHIP

- Section 1: The membership of The Boosters shall not be limited. Anyone who wishes to become active in the promotion and development of The Boosters may become a member.
- Section 2: The band director or designee shall be a voting member of The Boosters. The designee should be another Bands staff member.

- Section 3: The voting membership shall consist of those members who are parents or guardians of a student enrolled in the instrumental music program or color guard at Francis Howell North High School for the current academic year.
- Section 4: Unless otherwise provided for in these By-laws, a simple majority of the voting membership present shall rule at all meetings. The president shall not vote except in cases of a tie.
- Section 5: Every student participating in Marching Band will have a Family Financial Commitment (FFC) account to fund participation in band activities.

ARTICLE 4: BOARD OF DIRECTORS AND EXECUTIVE COMMITTEE

- Section 1: The Board of Directors shall be defined as the elected officers of The Boosters and the Band Director. All members of the Board of Directors shall have an equal vote, a simple majority rules. The President shall not vote except in the case of a tie. The business and affairs of The Boosters shall be controlled and governed by the Board of Directors.
- Section 2: The Executive Committee shall consist of the Board of Directors and Committee Chairs. All members of the Executive Committee shall have an equal vote, a simple majority of the members in attendance rules. The President shall not vote except in the case of a tie.
- Section 3: The President shall appoint committee chairpersons with the approval of a majority of the Board of Directors and a majority of the general membership in attendance at a duly called general membership meeting for terms of (1) year at a time. If a committee is co-chaired, only one person will be designated as Chairperson and will hold a seat of the Executive Committee, the other may represent the committee at meetings, but only one will have voting privileges.
- Section 4: At a minimum, the Executive Committee will hold monthly meetings during the entire fiscal year. The President shall prepare the agenda for the general membership meetings. A quorum of five (5) Executive Board and standing committee Chairpersons or Co-Chairpersons is required to conduct business.
- Section 5: All meetings shall be open for observation and to members who have applied in writing to be placed on the agenda.
- Section 6: The Board of Directors has the right to meet in closed session as needed.
- Section 7: When a duly elected member of the Board of Directors is unable to complete his/her term, his/her office may be filled by appointment by the Board of Directors.

ARTICLE 5: OFFICERS

Section 1: The officers of The Boosters shall be a President, Vice-President, Recording Secretary and Treasurer who will generally carry out the business of The Boosters and be responsible to The Boosters in the performance of their specific duties.

Section 2: The term of office for members of the Board of Directors is one year. No person may serve for more than two consecutive years in any one office.

Section 3: Duties of the officers:

President:

- a) Conduct all meetings of The Boosters.
- b) Be a member, ex-officio, of all committees.
- c) Appoint committees and appoint the chairperson of each as necessary to ensure the responsible operation of The Boosters.
- d) In general, to perform the duties incident to the Office of the President and such other duties as may be prescribed by the Board of Directors.

Vice President:

- a) Assume all the responsibilities of the President in the absence of the President and shall perform all other duties delegated by the President.
- b) Responsible for the maintenance of all Family Financial Commitment (FFC) accounts.
- c) Perform such other duties as may be prescribed by the Board of Directors.

Treasurer:

- a) Responsible for keeping a full and accurate record of all financial matters of The Boosters.
- b) Responsible for the billing, dispersal, appropriate deposit, and recording of all Boosters funds as directed by the Board of Directors.
- c) Maintain a permanent and accurate set of records detailing all funds received, deposited, and dispersed in a timely manner. These records shall be permanent property of The Boosters and shall be available for examination by its members.

d) Responsible for dispersing of expenditures approved of and authorized by the Board of Directors (as defined in Article 8, Section 6).

e) Give detailed and accurate report of all receipts and expenditures at all regular Booster meetings.

f) Present an annual audited financial report within two (2) months of the end of The Boosters fiscal year. The Boosters fiscal year shall be June 1 through May 31.

g) In general, perform all the duties incident to the Office of the Treasurer and such others as may be prescribed by the Board of Directors.

Recording Secretary:

a) Keep an accurate record of the minutes of all meetings of the Executive Committee and all regular Booster meetings, ensure that all notices are given as required herein and be custodian of the corporate records.

b) Oversee all communications of Band related programs.

c) Shall perform other duties as may be delegated by the President or assigned by the Board of Directors.

Section 4: Election of Officers

a) A nominating committee of three (3) or more Boosters shall be appointed by the President with the approval of the Board of Directors by the November meeting. The nominating committee shall present a slate of officers with one or more candidates for each office for election at the January meeting. Other nominations will be accepted from the floor at the January meeting and added to the slate of candidates.

b) No more than one member of the same family shall serve as an officer at the same time.

c) The election of officers shall be held at the February general meeting with the issue of a hard copy ballot.

d) Boosters must be present to vote during the election of officers. No proxies will be accepted. The candidates receiving the most votes are elected.

e) The newly elected officers shall attend the Executive Committee meeting in April and installation of the officers shall be at the end of the April general membership meeting.

ARTICLE 6: PARLIAMENTARY AUTHORITY

The rules contained in The New Roberts' Rules of Order shall govern The Boosters in all cases to which they are applicable and in which they are not inconsistent with the By-Laws of The Boosters.

ARTICLE 7: MEETINGS

Section 1: The first regular meeting of The Boosters shall be held on the third Tuesday in May. At the meeting, The Boosters will set the regular monthly meetings for the school year.

Section 2: Regular meetings shall not occur if the meeting date is a holiday. The Board of Directors shall reschedule canceled meetings.

Section 3: The Board of Directors may call special meetings.

ARTICLE 8: FINANCIAL

Section 1: The fiscal year for The Boosters shall begin on June 1 and end on May 31 of the succeeding year.

Section 2: The annual preparation of the budget is the responsibility of the Board of Directors. The budget must be submitted and approved by the membership no later than the April general meeting.

Section 3: The annual financial report of all accounts will be prepared by the Treasurer by June 30th and presented no later than general membership meeting in July.

Section 4: The President shall appoint a committee of three (3) members NOT of the outgoing and incoming Board of Directors to annually review the Treasurer's books between the time of the installation of the new Board and June 30th. A written report shall be presented to the Board of Directors.

Section 5: Any monies raised by a specific group shall be retained from one fiscal year to the next, in a special account, to be maintained by the Treasurer, and to be used for expenses by the group collectively.

Section 6: The Band Director will not be responsible for collection of any funds. The Board of Directors will assign an agent as needed for this purpose. All funds collected must be turned over to the Treasurer in a timely manner.

Section 7: In establishing a bank account, the Treasurer and President shall be designated as signers of checks with only one signature necessary. For expenditures of

greater than \$1000, the Treasurer will notify the President. For any non-budgeted expenditure that is greater than \$500, majority approval by the Board of Directors is required.

Section 8: Compensation for officers of The Boosters shall be limited to reasonable and actual expenses incurred while conducting business of The Boosters.

Section 9: All requests for reimbursements must be accompanied by an FHNBBBA Expense Requests Voucher and receipts. Minimum required fields are: date, name, and explanation to receive funds. The committee chairperson MUST APPROVE AND IS REQUIRED to sign the form or it will not be considered. Receipts MUST accompany expense request and must be received within 30 days of expenditure.

Section 10: Receipts for expenditures made with advance fund requests (ie scrip) must be submitted in current fiscal year.

Section 11: Funds in an individual FFC account may be used to fund participation in any Bands associated activity within the Francis Howell School District. Other uses of FFC funds is subject to approval of the Board of Directors.

Section 12: Balance in FFC accounts may be held in an inactive status through graduation of said student. Remaining balance will be applied to Boosters general fund, unless otherwise specified. All such requests are subject to approval of the Board of Directors.

Section 13: Refunds of the FFC will be limited to only those assessments that were paid by check or cash. No refunds will be made for amounts earned through fundraising. The refund request must be made in writing and must be received by the President or Vice President prior to the date the last installment is due. Refunds may be requested if a student drops out of Marching Band or moves out of the district. Should a refund be made, a percentage of the fees will be deducted as determined by the Board of Directors. No refund will be made after the final FFC installment is due.

Section 14: Band and Guard staff compensated in whole or in part by the FHNBBBA are nominated by the Band Director and employed at the will of the FHNBBBA under the direction of the Band Director. The terms of staff employment and compensation shall be approved in advance by the FHNBBBA Board of Directors.

Section 15: The Board of Directors may approve FFC Hardship Requests in special circumstances to allow FFC payments to be waived or deferred in whole or in part.

FFC Hardship Requests may be granted in consideration of economic circumstance. FFC Hardship Requests are good for one fiscal year. No delinquent FFC payment shall be excused without a Hardship Requests.

Section 16: In the event that a family refuses to meet their financial commitment to the band program, having not requested a FFC Hardship Request, nor having availed themselves of any or sufficient fundraising opportunities offered, nor having responded to requests from the Board of Directors for payment of delinquent fees; then the Board of Directors shall have the option to take any and all appropriate actions to collect balance owed.

ARTICLE 9: INDEMNIFICATION

Indemnification shall be permitted as authorized by the Articles of Organization and RSMO 351.355 (2016) or its successor.

ARTICLE 10: DISSOLUTION

In the event of dissolution or final liquidation of The Boosters, the Board of Directors shall, after paying or making provisions for the payment of all liabilities, dispose of all assets by donation to the Francis Howell School District or its successor, provided Francis Howell School District is properly qualified as a governmental unit under section 170(c) of the Internal Revenue Code or as an organization exempt from federal income taxation under section 501c(3) of the Internal Revenue Code.

ARTICLE 11: AMENDMENTS TO BY-LAWS

Section 1: Amendments to the By-Laws may be proposed:
a) by a two-thirds (2/3) vote of the membership of the Executive Committee or
b) by a two-thirds (2/3) vote of the members present at a duly called general membership meeting of The Boosters.
c) However, no amendments may be adopted which would jeopardize the tax exempt status of the organization under Code 501c (3).

Section 2: The proposed amendment(s) shall be presented in writing at a general meeting for the purpose of discussion and to be voted on at the next general meeting. A two-thirds (2/3) majority of the membership present will be required to pass the amendment.