



By-Laws of
Apex Band Boosters

Adopted September 12, 2000
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1. Introduction

1.1. Name

The name of this organization is Apex Band Boosters of Apex, North Carolina. The parents of Apex High School Band students do hereby form ourselves into a non-profit organization and to that end do hereby approve the by-laws in manner and form as follows.

1.2. Location

The location of the Apex Band Boosters is 1501 Laura Duncan Road, Apex, NC. The mailing address of the organization is P.O. Box 618, Apex, North Carolina, 27502.

1.3. Purpose

To promote and support the Apex High School Band programs in conjunction with the Band Director and school administration.

1.4. Basic Policies

- 1.4.1. The Apex Band Boosters (“Boosters”) is organized exclusively for charitable and educational purposes within the meaning of Section 501(c)(3) of the Internal Revenue Code of 1986 or corresponding section of any further federal tax code (hereafter “Internal Revenue Code”).
- 1.4.2. The Boosters shall be non-commercial, non-sectarian, and non-partisan.
- 1.4.3. No part of the net earnings of the Boosters shall inure to the benefit of, or be distributable to, its members, directors, officers, or other private persons, except that the Boosters shall be authorized and empowered to pay reasonable compensations for services rendered and to make payments and distributions in agreement with the purpose set forth in Section 1.3 hereof.
- 1.4.4. Notwithstanding any other provision of these Bylaws, the Boosters shall not carry on any other activities not permitted to be carried on by:
 - An organization exempt from federal income tax under Section 501(c)(3) of the Internal Revenue Code, or
 - An organization, contributions to which are deductible under Section 170(c)(2) of the Internal Revenue Code.
- 1.4.5. The rules of parliamentary practice comprised in the latest edition of Robert’s Rules of Order Newly Revised shall govern all proceedings of the Boosters and of the Board of Directors, except where inconsistent with these Bylaws, and shall be subject to any Standing Rules that may have been or may be adopted.

2. Membership

2.1. Membership

Parents and/or legal guardians (hereinafter referred to as parents) of currently enrolled band students shall automatically be members. One or more parent of a band student shall constitute a family.

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2.2. Voting

The voting membership consists of band-boosters. Each family in good standing (fees paid up for current year) shall be allowed one vote per student on all voting matters.

2.3. Meetings

- 2.3.1. The annual meeting of the membership shall be held in April of each year. The primary purpose of this meeting is to elect officers and approve the budget for the next year.
- 2.3.2. Regular general meetings of the membership will be held monthly in the Apex High School Band Room, or other designated location.
- 2.3.3. Called meetings shall be called by a majority vote of the Board of Directors.
- 2.3.4. Notice of the time and place of all meetings shall be by email distribution and posting on the Boosters website.
- 2.3.5. A quorum for the transaction of business at any meeting shall consist of a majority of members present at that meeting.

2.4. Volunteer Obligation

Volunteers are necessary for every band event (e.g., football games, competitions, parades, social events and fundraising events). Each booster family is expected to provide volunteer support through one of the committees for the band in the capacity that best suits that family's abilities (See Section 5.3 Standing Committees for descriptions of each committee).

3. Board of Directors

3.1. General

- 3.1.1. The voting members of the Boosters shall elect the following officers to direct the general activities of the organization. They shall be known collectively as the Board of Directors ("Board").
 - President
 - First Vice President
 - Second Vice President
 - Secretary
 - Treasurer
 - Sergeant at Arms
 - Communications Officer
- 3.1.2. The Band Director is a permanent, non-voting member of the Board.
- 3.1.3. The Board shall have full authority to manage the Boosters organization within the confines of these by-laws and the will of the voting members.
- 3.1.4. Board meetings shall be scheduled at the discretion of the President, Band Director(s), or a majority of the Board members, and all Board members must be notified of any scheduled meetings.
- 3.1.5. All members of the Boosters are invited to attend Board meetings at any time; however, the Board may retire into closed session as deemed necessary. No official business may be transacted in any closed session.

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3.1.6. Five (5) members of the Board shall constitute a quorum for Board meetings.

3.2. Election of Officers

3.2.1. A Nominating Committee of not less than three (3) members shall be formed at the regular meeting in January of each year. This committee shall be formed from volunteers from the general membership. This committee shall render nominations for each elected office to the booster organization two weeks prior to the annual meeting in April of each year.

3.2.2. At the general booster meeting in April of each year the members shall elect, by a majority vote of those members present, the new Board of Directors. Each family in good standing (fees paid up for current year) shall be entitled to cast one vote per band student.

3.2.3. Newly elected officers shall assume their duties at the next regularly scheduled general meeting following the election.

3.3. Duties of Officers

3.3.1. President

- Preside at all Board and general membership meetings
- Prepare meeting agendas
- Be ex-officio member of standing committees except the Nominating Committee
- Appoint Chairpersons of Committees
- Signs or approves all contracts on behalf of the organization
- Shall keep all contracts on file for the current and the preceding three years
- Perform duties as indicated to the office

3.3.2. First Vice President

- Act as Chairperson of the Transportation Committee
- Preside at meetings of the Board and general membership in the absence of the President
- Perform other duties as indicated to the office of the President in absence of that officer, or disability of the president
- Handle special projects assigned by the Band Director or President

3.3.3. Second Vice President

- Act as Chairperson of the Ways and Means Committee
- Preside at meetings in the absence of the President and First Vice President
- Perform other duties as indicated to the office of the President and First Vice President in the absence or disability of either officer.

3.3.4. Secretary

- Record attendance, minutes, decisions and actions at all Board and general membership meetings
- Distribute minutes of all meetings as well as all necessary band related information. Conducts formal correspondence (thank you notes, sympathy cards, etc.)
- Inform booster members of the meeting schedule

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3.3.5. Treasurer

- Collect dues, fund-raising monies and other receipts
- Pay bills and other obligations
- Keep accurate records of receipts and disbursements
- Provide financial report for general membership and Board meetings
- Prepare projected annual budget for the Board to recommend to the membership for approval
- Report delinquent dues/fees to President and Sergeant at Arms
- Maintain accurate records of student accounts
- Prepare required tax forms
- Shall keep all financial records for this organization for the preceding seven years

3.3.6. Sergeant At Arms

- Maintains medical forms and all registration paperwork
- Works in conjunction with President and Treasurer on delinquent fees
- Maintains accurate and up-to-date student and booster roster
- Shall ensure that all band volunteers are registered and approved through Wake County Public School System

3.3.7. Communications Officer

- Act as Chairperson of the Communications Committee
- Ensure that relevant information is made available to the membership, the school, and the public

3.4. Board Eligibility Requirements

- 3.4.1. The Board of Directors will serve a one-year term.
- 3.4.2. The same family may hold no office for more than two (2) consecutive years.
- 3.4.3. No family may hold more than one (1) office during a year.
- 3.4.4. The Board will receive no remuneration for their services, except for reimbursement for legitimate expenses.
- 3.4.5. Board positions may be shared by two voting members while retaining one vote for each elected position.
- 3.4.6. Any Board member who cannot or does not attend three (3) consecutive Board meetings, or does not adequately fulfill their obligations as outlined herein, shall be subject to removal upon vote of the general membership.

3.5. Vacancies

- 3.5.1. Should a vacancy occur in the office of the President prior to the expiration of the term, the First Vice-President shall fill that vacancy for the remainder of the term. At that time, the new President shall serve notice of the election of a new First Vice President.
- 3.5.2. A vacancy occurring in any office other than President prior to the expiration of the term shall be filled for the remainder of the term by a person elected by a majority vote of the

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remaining members of the Board, all members of the Board having been notified at least five (5) days in advance.

- 3.5.3. If an office has no nominations at the time of the annual election and remains unfilled after the election, it shall be considered a vacant office to be filled according to Section 3.5.2 above.
- 3.5.4. All resignations must be made to the President in writing.
- 3.5.5. If an officer or appointee either fails to attend three (3) consecutive Board meetings without adequate excuse or fails to perform the duties of his office, the Board may meet and declare the office or position vacant.

4. Financial

4.1. Fiscal Year

The fiscal year shall be April 1st through March 31st.

4.2. Funding

- 4.2.1. Funding for the Apex High School Band Boosters is the responsibility of the student's families and shall include band student's fee. Designated payment schedules will be agreed upon by the Board members based on the budget projections prepared by the Board. All families are expected to meet their obligations on time. To help offset these costs the students and/or families can participate in fund-raising projects. Fundraising shall go towards future expenses and cannot be applied to band fees and other expenses incurred or due before the fundraising events take place.
- 4.2.2. Budget projections proposed by the Board may designate mandatory fundraisers. Families may make a donation to the Boosters in lieu of participating in the fundraiser(s) at the level budgeted. All proceeds beyond the budgeted level of participation will be applied to student accounts.
- 4.2.3. Notwithstanding the criteria listed under Section 4.6 Student Accounts, all funds and income of whatsoever kind received by the organization shall be used solely for the promotion, improvement, instruction, equipment, transportation, aid and support of the Apex High School Band programs.
- 4.2.4. All funds of the organization shall be deposited in such bank or trust company as the Board shall designate. Two persons, the Treasurer and one other person designated by the Board, shall sign all checks or vouchers.
- 4.2.5. The Treasurer's accounts shall be examined annually by an auditor or auditing committee of not less than three members, who, satisfied that the treasurer's annual report is correct, shall sign a statement of that fact at the end of the report. The audit should be completed by September 1st for the preceding fiscal year. The treasurer shall be responsible for filing any required tax forms per IRS regulations.

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4.3. Fees

- 4.3.1. The amount of fees that are to be paid for each student will be determined and presented at a designated annual meeting. Special assessments and adjustments will be voted on as needed. Fees shall be payable within ten (10) days of due date.
- 4.3.2. In the case of delinquent fees, all rights and privileges of being in the Apex Band will be suspended until such time as fees are made current. Delinquent fees will carry over from year to year. Examples of these rights and privileges are (but not all inclusive):
 - Participating in any competition
 - Receiving any award or scholarship
 - Participating in any trip with the band(s)
 - Voting on any issue involving the band program.
- 4.3.3. A final decision on these privileges and rights rests with the Band Director.

4.4. Fee Waiver Program

- 4.4.1. Financial aid is available for student needs upon recommendation of the Band Director and approval of the Board. Request for Fee Waiver forms should be obtained from the Band Director. Students and parents or legal guardians must sign this request for fee waiver.
- 4.4.2. Fee waivers must be requested annually. Any fee waiver, partial or full, shall apply only to the general band fee. Other expenses, such as Dinkles, picnics & banquets, are not covered under the Fee Waiver Program. Failure to actively participate in Booster activities such as fundraising and volunteering to help with Band activities will weigh strongly in future waiver decisions.
- 4.4.3. When financial aid is granted, it is expected that the student and parents participate as much as possible in fundraising activities. Any funds normally deposited in the student's account will instead be deposited in the general fund, up to the total amount granted as financial aid.
- 4.4.4. A student's waived fees for current and previous seasons must be paid in full, either in cash or fundraising proceeds, before the student may participate in any student-funded trip.

4.5. Scholarships

- 4.5.1. Funds permitting, scholarship(s) will be awarded to graduating seniors upon a vote of the Board. The Board vote is to determine the number and amounts for the scholarships.
- 4.5.2. Only students who have completed four (4) years with the Apex Marching Band are eligible to receive this scholarship.
- 4.5.3. The Student Services office at Apex High School shall determine to whom each scholarship will be awarded.

4.6. Student Accounts

- 4.6.1. The Treasurer shall maintain funds, and records thereof, earned by students active in the Band. These funds will be maintained in a separate account from the funds of the organization.
- 4.6.2. In order to protect the Boosters' 501(c)(3) non-profit status, all student account funds must remain the property of the Boosters. No funds may be dispersed from student accounts directly to the students or parents.

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- 4.6.3. Funds in a student's account can only be used for band expenses or band sponsored activities for the student. The student or parent shall request the use of these funds by submitting either an e-mail or written request to the Treasurer.
- 4.6.4. Funds remaining in a student's account at the end of said student's graduating year, or funds remaining when a band student leaves the band program, will be processed as follows:
1. First, any delinquent fees or other monies due to the band program will be deducted from the account balance effective on the student's graduation date.
 2. Second, remaining funds may be transferred to the student account of another band student who is currently enrolled in the Apex High band program. This action must be requested in writing to the Treasurer by the student's parent within three (3) months of the student's graduation date.
 3. If no request is received in writing by the Treasurer within three (3) months of the student's graduation date, all remaining funds shall be placed in the Booster's general fund.
- 4.6.5. In the case of any dispute concerning the disbursement of a student account, the final decision shall be made by the Band Director.

5. Standing Committees

5.1. Committee Chairpersons

At the regular meeting in May of each year, the duly elected President shall appoint a Chairperson for each of the standing committees, with the exception of the following:

- The First Vice President shall chair the Transportation Committee
- The Second Vice President shall chair the Ways and Means Committee
- The Communications Officer shall chair the Communications Committee

5.2. Chairperson Term

The Chairpersons of each standing committee shall hold office for one year.

5.3. Committee and Chairperson Duties and Responsibilities

- 5.3.1. **Band Camp Committee** Shall organize and coordinate all related activities regarding Band Camp including camp donations, equipment, and chaperones.
- 5.3.2. **Chaperone Committee** Shall provide adults to be with the band at all functions and to provide for any special needs that may arise.
- 5.3.3. **Communications Committee** Shall be responsible for all aspects of communicating information about the band and its activities. This includes information targeted to band students & parents, Apex High School and local media. Subcommittees include:
- 5.3.3.1. **Electronic Media:** Maintain the band web site, social media presence, and email newsletters
- 5.3.3.2. **Public Relations:** Inform the general public of the activities of the Apex High School Band and of the Band Boosters through local media outlets

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- 5.3.3.3. **PTSA Liaison:** Represent the Apex High School Band and Band Boosters to the Apex High School PTSA, report to the Band Boosters the outcome of PTSA meetings, and provide information to the Cougar Pause school newsletter and the Cougar Notes
- 5.3.3.4. **Middle School Liaison:** Responsible for ensuring communication of all appropriate band events to the Middle School contacts. This includes identifying and maintaining contact with rising 8th grade students who may attend Apex High School, coordinating the annual Middle School Night in the Fall, and coordinating, with the Band Director, visits to the feeding Middle Schools in the Spring.
- 5.3.4. **Front Ensemble Committee** Shall be responsible for organizing the placement and setup of the front ensemble instruments at each band event.
- 5.3.5. **Historian** Along with his/her committee shall be responsible for photographing and video recording the band's activities throughout the band year.
- 5.3.6. **Props Committee** The Props committee shall work with the Band Director to design and build the props for the Marching Band show. This committee shall also be responsible for organizing the placement and setup of the props at each band event.
- 5.3.7. **Sewing Committee** The sewing committee will be responsible for sewing any props or uniforms needed for the marching band show.
- 5.3.8. **Social Committee** Shall arrange and provide for activities deemed as Apex Band Booster social events, including, but not limited to, Senior Night, Annual Band Banquet, etc.
- 5.3.9. **Transportation Committee** Shall arrange safe transportation for the Apex High School Band and its equipment. Shall aid in loading and/or hauling instruments and shall use its best efforts to procure adequate insurance to protect members of the Apex High School Band and chaperones and to protect this organization from liability.
- 5.3.10. **Uniform Committee** Shall be responsible for all aspects of the band uniform to include the marching band and academic bands.
- 5.3.11. **Visual Ensemble Committee** Shall be responsible for all aspects of the Visual Ensemble including uniforms.
- 5.3.12. **Ways and Means Committee** Shall investigate and recommend to the Board the manner in which revenue may be obtained by the organization. Shall oversee all fundraising activities. Each fundraising activity shall constitute a subcommittee of the Ways and Means Committee.

6. Miscellaneous Provisions

6.1. Amendment Process

These by-laws can be amended in whole or in part at a duly organized meeting after a minimum two-week notice.

6.2. Dissolution

In case of dissolution of this organization, after paying or adequately providing for the debts and obligations of the Boosters, the remaining assets shall become the sole and absolute property of the Apex High School Band.