

# **BY-LAWS OF THE VOLCANO VISTA BAND BOOSTER CLUB, INC.**

## **ARTICLE I - NAME**

The name of this organization shall be the Volcano Vista Band Booster Club, Inc.

## **ARTICLE II - POLICIES**

All articles contained in this document shall be in accordance with the policies of the Albuquerque Public School System (APS), Volcano Vista High School (VVHS) and the Volcano Vista High School Band Director. This organization will abide by all school board and administration policies and procedures now in effect or which may hereafter be enacted. In addition, all policies shall be in accordance with requirements of 53-8-1 NMSA 1978 et seq., also known as the New Mexico Non-Profit Corporation Act. In the event that anything related to policy in these by-laws conflicts with a policy of APS or VVHS then APS or VVHS policy shall control. In the event that anything in these by-laws conflicts with the Articles of Incorporation of this organization, the provisions of the Articles of Incorporation shall control.

This organization is organized and operated exclusively for charitable and educational purposes within the meaning of 501(c)(3) of the Internal Revenue Code.

Upon dissolution of this organization, its assets shall be disposed of exclusively for the purposes of the corporation or distributed to such organizations organized and operated exclusively for charitable purposes which shall, at the time, qualify as exempt organization under section 501(c)(3), or shall be distributed to the federal government, or to a state or local government, for a public purpose.

No part of the net earnings of the corporation shall inure to the benefit of or be distributed to any director, employee or other individual, partnership, estate, trust or corporation having a personal or private interest in the corporation. Compensation for services actually rendered and reimbursement for expenses actually incurred in attending to the affairs of this organization shall be limited to reasonable amounts.

No substantial amount of the activities of the corporation shall be the carrying on of propaganda, or otherwise attempting to influence legislation and this organization shall not intervene in (including the publishing or distributing of statements) any political campaign on behalf of or in opposition to any candidate for public office.

A student account is credit an individual student earns towards band fees, activities, or events, is the property of the booster club, and is not refundable to the student. These credits may be carried over from school year to school year as long as the student is an active member of the band program, and is transferable only to immediate family members.

## **ARTICLE III - PURPOSE**

This organization, organized under the New Mexico Nonprofit Corporation Act, shall be operated as a nonprofit corporation exclusively for the support of music education and, as such, will support the following educational purposes:

- a) To promote and sustain an enthusiastic interest and interaction among parents, band members, the student body and citizens of the community;
- b) To lend all possible support, both moral and financial, to programs and activities promulgated by or on behalf of the VVHS bands;
- c) To provide fundraising and activities support services to the members of the VVHS bands;
- d) To promote and conduct activities as may be related to activities of the VVHS bands;
- e) To participate in any activity designed or conducted to promote the VVHS bands; and
- f) To accept, hold, and enjoy donations, devices, bequests, grants, and trusts for the use, objectives, and benefit of the VVHS bands and the Volcano Vista Band Booster Club.

## **ARTICLE IV - MEMBERSHIP**

All parents or legal guardians of students in the VVHS Band Music Program shall be members of this organization. There will be no charge for general membership.

## **ARTICLE V - ADMINISTRATION**

An Executive Board of Directors composed of the President, Vice President, Treasurer and Secretary shall govern this organization. The Principal or designee and the Band Director(s) shall serve as ex-officio officers of the organization with non-voting privileges.

In addition the term of executive office shall be 1 (one) year. No person shall serve more than 2 consecutive years in the same executive board position.

In the event that the President cannot serve out his or her term, the Vice President shall serve as President for the remainder of that term. The Vice President shall fill any other vacancies in the Executive Board of Directors until a successor to fill the unexpired term of that office is appointed by the Executive Board of Directors.

In addition, the following individuals – appointed by a majority vote of the Executive Board of Directors – shall serve as Voting Members of the Board: Colorguard Representative, Fundraising Committee Chair, Hospitality Committee Chair, Past President, Pit Crew Committee Chair, Public Relations Committee Chair, Uniform Committee Chair, and Webmaster.

The Executive Board of Directors together with the Voting Members of the Board shall comprise the Volcano Vista Band Booster Club Board (hereinafter referred to as board). A serving elected member of the Executive Board of Directors or a Voting Member of the Board may be removed from office by a two-thirds majority vote of the board.

## **ARTICLE VI - PARLIAMENTARY AUTHORITY**

Robert's Rules of Order, as may be revised, shall govern this organization when not in conflict with these by-laws.

## **ARTICLE VII - MEETINGS**

There shall be at least two general membership meetings during the year. One will be held in August for budget approval and one in the First week in May for election of the Executive Board of Directors. Although the meetings mentioned in this paragraph have stated purposes, this is in no way intended to prevent other matters from appearing before the general membership. In addition, the Executive Board of Directors may call special general membership meetings by providing a minimum of two weeks notice to the general membership.

## **ARTICLE VIII - ELECTIONS**

A Nominating Committee, consisting of the President, two other members from the Executive Board of Directors, and two general members (as selected by the General Membership) shall prepare a slate of candidates. Nominations from the floor will be taken prior to voting at the May general membership meeting. Those candidates who accept nominations will be presented for vote at the spring general membership meeting. Election shall be by majority vote of the members present.

There shall be a joint board meeting by June 15th of the election year. The new Executive Board of Directors and Voting Members of the Board shall begin their term at the end of this meeting.

## **ARTICLE IX - DUTIES OF EXECUTIVE BOARD DIRECTORS**

### **A. Duties of the President**

In addition to any other duties which may be described in these by-laws, the President shall:

1. Serve as liaison between the board and the Director(s).
2. Serve as liaison between the board and VVHS administration.
3. Call and preside at all meetings of the general membership and board.
4. Appoint chairpersons and committees as necessary to implement activities that support the mission and purpose of the Volcano Vista Band Booster Club.
5. Keep members informed by assisting in the production of newsletters and managing the group email account and messages.
6. Working with the Treasurer:
  - a) monitor the organization's annual budget;
  - b) monitor the organization's fiscal position;
  - c) ensure that student accounts are paid when due and collection measures are undertaken, if necessary.
7. Ensure that all reports, affidavits, and any other documentation or reports required by the State Corporation Commission, the Internal Revenue Service, and the Office of the Attorney General of New Mexico are completed and filed in a timely manner.

B. Duties of the Vice President

In addition to any other duties which may be described in these by-laws, the Vice President shall:

1. Assist the President in all areas of before-mentioned presidential duties.
2. In the absence of the President, preside at any of the meetings at which the President would normally preside.
3. Coordinate all support for band activities, including but not limited to, band camp, picnics and social gatherings, out-of-town band trips, in-town band trips, football games, and competitions. This support includes ensuring that:
  - a) all equipment is properly transported;
  - b) snacks and drinks are available for students;
  - c) chaperones are properly trained and in attendance at all activities and events;
  - d) emergency kits are adequately supplied and available during all activities and events.
4. Coordinate with Director(s) and committees to support activities related to the Student Awards Banquet, student workshops and seminars, and other events as identified by the Director(s) and/or board.

C. Duties of the Treasurer

In addition to any other duties which may be described in these by-laws, the Treasurer shall:

1. Coordinate preparation of and maintain an annual budget.
2. Maintain a voucher system (checks and deposits).
3. Maintain a record of requests for money.
4. Reconcile the checking account statement each month.
5. Maintain an accurate record of each student's account showing fees levied, purchases, money paid in, and fundraising activity.
6. Send student account statements to each band member (via the U.S. Postal Service or email) at least twice each semester or as deemed necessary.
7. Conduct all bookkeeping necessary to accurately reflect the financial transactions of the organization.
8. Prepare books for an audit, when necessary.
9. Provide a current treasurer's report at each monthly board meeting.
10. Prepare all affidavits, and any other documentation required by the State Corporation Commission, the Internal Revenue Service, and the Office of the Attorney General of New Mexico and file these documents in a timely manner

D. Duties of the Secretary

In addition to any other duties which may be described in these by-laws, the Secretary shall:

1. Take and distribute the minutes of all general membership and board meetings.
2. Distribute the agenda for all general membership and board meetings.
3. Maintain a current copy of the by-laws and make any changes to such as directed or recommended by the Executive Board of Directors, subject to the approval of the general membership.
4. Maintain and distribute general membership rosters, student rosters, board rosters, committee rosters, and volunteer rosters. Rosters shall include each individual's first and last name, address, home telephone number, mobile telephone number (if available), and email address (if available).
5. Coordinate with Director(s) and committees to support activities related to the annual publication of the Student Band Manual, and other publications as identified by the Director(s) and/or board.
6. Monitor and maintain social networking sites related to the organization.

## **ARTICLE X - DUTIES OF VOTING MEMBERS OF THE BOARD**

### **A. Duties of the Colorguard Representative**

In addition to any other duties which may be described in these by-laws, the Colorguard Representative shall:

1. Serve as liaison between the board and the Director(s).
2. Coordinate with the board and Director(s) to ensure the colorguard is properly uniformed.
3. Assist with budget preparation for inclusion in the organization's annual budget.
4. Assist student leaders in colorguard recruitment efforts.

### **B. Duties of the Fundraising Committee Chair**

In addition to any other duties which may be described in these by-laws, the Fundraising Committee Chair shall:

1. Establish and manage the Fundraising Committee.
2. Coordinate with the board and Director(s) to establish annual fundraising financial goals.
3. Submit all committee approved fundraising ideas and investment requirements to the board for financial and organizational approval.
4. Ensure organization and execution of all fundraising activities related to the club.
5. Ensure details of fundraising activities are provided to the Public Relations Chair to ensure proper communication.
6. Provide a summary to the board at the conclusion of each fundraising event.
7. Ensure all fundraising activities are appropriately communicated and approved by appropriate school personnel.

### **C. Duties of the Hospitality Committee Chair**

In addition to any other duties which may be described in these by-laws, the Hospitality Committee Chair shall:

1. Establish and manage the Hospitality Committee.
2. Train volunteers in procedures regarding the setup, serving, and tear down of events.
3. Schedule and coordinate volunteers for each event.
4. Monitor supply room and report inventory needs to the board.
5. Submit quotes to the treasurer in advance of events.
6. Submit receipts to the treasurer for reimbursement within two weeks of each event conclusion.
7. Coordinate food and refreshments for events as determined by the board.

### **D. Duties of the Past President**

In addition to any other duties which may be described in these by-laws, the Past President shall:

1. Assist the President and Vice President to ensure the continuity of the organization's programs and goals.
2. Coordinate with board and Director(s) to establish, promote, and maintain a Volcano Vista Band Alumni Group.

### **E. Duties of the Pit Crew Committee Chair**

In addition to any other duties which may be described in these by-laws, the Pit Crew Committee Chair shall:

1. Establish and manage the Pit Crew Committee.
2. Coordinate and manage the handling and transportation of equipment for and during all off campus band activities.
3. Submit truck and/or trailer rental quotes to the board for financial and organizational approval.

4. Submit receipts to treasurer for reimbursement within two weeks of event conclusion.
5. Train volunteers in procedures for loading, unloading, and setup.
6. Schedule and coordinate trucks and/or trailers and drivers.
7. Schedule and supervise other crew volunteers.
8. Coordinate crew that assists students in moving equipment on and off field, stage, etc.

F. Duties of the Public Relations Committee Chair

In addition to any other duties which may be described in these by-laws, the Public Relations Committee Chair shall:

1. Establish and manage the Public Relations Committee.
2. Coordinate with the board and Director(s) to ensure that the community, current students, and families are informed of events by distributing stories regarding the band, its achievements and related stories to the media and secretary for publication in the newsletter.
3. Ensure that prospective students and families are aware of band activities by coordinating the efforts of middle school liaisons in distributing applicable band publications (newsletters, etc.), assisting with recruiting, etc.
4. Ensure that the VVHS administration and student body is aware of band activities and awards.
5. Ensure that the community is aware of band activities (events to raise funds for the General Fund, concerts, and festivals) by publishing and distributing press releases as necessary.

G. Duties of the Uniform Committee Chair

In addition to any other duties which may be described in these by-laws, the Uniform Committee Chair shall:

1. Establish and manage the Uniform Committee.
2. Maintain records of uniform distribution, collection, and inventory.
3. Conduct fittings for, issue and collect all student uniforms.
4. Assign and communicate how and when uniforms are to be cleaned and properly maintained.
5. Conduct regular inspections to ensure that uniforms are being properly maintained.
6. Coordinate with the board to arrange for the cleaning of uniforms and hats at the end of each season, as necessary.
7. Report needed replacement items to the board and Director(s) and arrange for replacements as approved.
8. Ensure all necessary performance and uniform accessories are transported to events.
9. Assign cleaning and damage fees and report such fees to the Director so appropriate measures can be taken.
10. Coordinate with the Director(s) and Executive Board of Directors to ensure that band merchandise is ordered and available for sale. Merchandise items include, but are not limited to, band t-shirts, show t-shirts, polo shirts, warm-ups, and sweatshirts.

H. Duties of the Webmaster

In addition to any other duties which may be described in these by-laws, the Webmaster shall:

1. Work with the secretary to obtain information from the board and Director(s) for dissemination on the Web Site.
2. Act as public information officer as needed and work in conjunction with the Public Relations Committee.
3. Act as Web Master for the organization web site.

## **ARTICLE XI - FINANCES**

The President, after consultation with the Director(s), will submit a budget to the board for approval prior to the August general membership meeting. The Budget will be presented to the general membership for approval at the August meeting.

All checking account withdrawals shall require two signatures. The President, Vice President, Treasurer and Secretary shall be authorized to sign. All purchases must be approved. The President or Treasurer of the board shall approve or disapprove all purchases of less than \$250.00. Purchases of \$250.00 to \$1000.00 must be approved by a majority vote of the board. Purchases greater than \$1000.00 must be approved by the majority vote of the membership.

The Executive Board shall develop and distribute a financial management and fundraising policy statement to the general membership each year.

An Audit Committee comprised of the President and at least three additional individuals (none of whom serve on the Executive Board of Directors) shall be appointed by the Executive Board of Directors to conduct an audit prior to June 30 of each year. In addition, the responsibility for preparing an annual audit may, at the discretion of the board, be conducted by an external auditing firm which normally conducts audits of non-profit corporations.

## **ARTICLE XII – CONFLICT OF INTEREST**

All board members, committee members and volunteers are expected to avoid conflicts of interest between the interests of the organization on one hand, and personal, professional, and business interests on the other. This includes avoiding potential and actual conflicts of interest, as well as perceptions of conflicts of interest. The purpose of this article is to protect the integrity of the organization's decision-making process, to enable our Volcano Vista High School band families to have confidence in the integrity of our organization, and to protect the integrity and reputations of volunteers, committee members and board members.

- Upon or before election, all board and committee members will make a full, written disclosure of interests, relationships, and holdings that could potentially result in a conflict of interest. This written disclosure will be kept on file and will be updated as appropriate.
- In the course of board meetings or activities, board members, committee members or volunteers will disclose any interests in a transaction or decision where they (including their business or other nonprofit affiliations), their family and/or their significant other, employer, or close associates may receive a benefit or gain. After disclosure, they will be asked to leave the room for the discussion and will not be permitted to vote on the question.

It is expected that board members, committee members, and volunteers of the organization understand this policy is meant to supplement good judgment, and they agree to respect its spirit as well as its wording.

## **ARTICLE XIII – STANDARD OF CONDUCT**

Throughout, and after, board members', committee members', and volunteers' affiliation with the organization, they will not use any list of students or parents associated with the Volcano Vista High School band for personal or private solicitation purposes.

Each board member, committee member, and volunteer has an obligation to help donors, contributors, members, the media and the general public to see the Volcano Vista High School Band in the best possible light. Public comment should be supportive of the initiatives, activities, personnel, and volunteers of the organization.

Any board member, committee member or volunteer violating a standard of conduct may be asked to cease their affiliation with the organization. Violations will be brought to the attention of the Executive Board. If the board member, committee member or volunteer wishes to explore the issue further, they and the Executive Board may jointly appoint a three-person fact finding committee to review the issues and make a recommendation.

## **ARTICLE XIV - AMENDMENTS**

Any general member or board member may propose an amendment to these by-laws. Proposed changes in the by-laws shall be placed on the agenda for the next board meeting, provided that at least one week's written notice of the meeting and proposed change in the by-laws is provided to all board members.

Notice of proposed changes to the by-laws shall be published in a newsletter sent to the general membership no less than two weeks before the general membership meeting. Any member of the general membership may challenge any proposed change in the by-laws. Challenges may be made in writing to the Secretary or presented at the general membership meeting. Proposed changes to the by-laws must be ratified by a majority vote of those members present at the meeting.

THE UNDERSIGNED PRESIDENT, VICE PRESIDENT, AND SECRETARY OF THE VOLCANO VISTA BAND BOOSTER CLUB  
HEREBY CERTIFY THAT THE FOREGOING BY-LAWS OF THE VOLCANO VISTA BAND BOOSTER CLUB WERE DULY  
ADOPTED BY THE GENERAL MEMBERSHIP AT A MEETING HELD ON THE 7th DAY OF August, 2015.

PRESIDENT \_\_\_\_\_

VICE PRESIDENT \_\_\_\_\_

SECRETARY \_\_\_\_\_