

PHILLIPSBURG HIGH SCHOOL

BAND BOOSTERS, Inc.



PHILLIPSBURG, NEW JERSEY

CONSTITUTION and BY-LAWS

PHILLIPSBURG HIGH SCHOOL BAND BOOSTERS, INC.



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PHILLIPSBURG HIGH SCHOOL BAND BOOSTERS, INC.



CONSTITUTION

CONSTITUTIONAL ARTICLE I

ORGANIZATION NAME

The name of this organization shall be Phillipsburg High School Band Boosters Inc.

CONSTITUTIONAL ARTICLE II

OBJECTIVES

The objective of the Phillipsburg High School (PHS) Band Boosters shall be:

- a. To offer services, financial support and moral support to the PHS Bands and Band Members (Marching Band, Dance Team, Concert Band, Jazz Programs, Pit Band and any other PHS instrumental group).
- b. To promote a positive PHS Band and Booster organizational image
- c. To cooperate with those in charge of the Department of Bands and with the Phillipsburg School District Board of Education.
- d. To maintain the fiscal health of the Booster organization
- e. To establish partnerships with the school administration, the board of education, and the local community

CONSTITUTIONAL ARTICLE III

MEMBERSHIP

Membership in the PHS Band Boosters is open to any adult interested in the welfare of the PHS Band. (High School students are not eligible for membership until after they have graduated from high school). Membership dues, which help cover liability insurance, shall be set by the Executive

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Board and announced at the June meeting. Open enrollment for membership shall be all year but must be a member by January 1st in order to vote in the May election. The membership year is defined as July through June.

CONSTITUTIONAL ARTICLE IV

EXECUTIVE BOARD

The officers of the PHS Band Boosters shall consist of a: President, Vice President, Treasurer, Recording/Corresponding Secretary and Fundraising Chairperson. For a description of, each position, see By-Laws ARTICLE I. **Each Executive Board member is expected to read and sign the Constitution & By-laws to acknowledge that they will uphold them.**

CONSTITUTIONAL ARTICLE V

AMENDMENTS TO THE CONSTITUTION AND BY-LAWS

This Constitution and By-Laws must be reviewed by the Bi-Annual Review Committee of the Constitution and By-Laws (created on an as needed basis) every two (2) years (even-numbered calendar years) during the first quarter.

Amendments or revisions to the Constitution and By-Laws must be read at two (2) consecutive General Booster meetings. If parties disagree during the first reading, the By-Laws committee will meet again to discuss and possibly change the Constitution or By-laws recommendation based upon everyone's comments. This is ONLY for a particular section and doesn't pertain to sections that weren't an issue. At the second meeting, the amendments/revisions will be again reviewed and can individually be motioned, seconded, and voted upon. There will be no opportunity during this reading to change the amendments/revisions being considered. Each amendment/revision must be approved by a 2/3 (two-third) vote to be accepted.

A Proposed By-Law Change Committee will be created by the President when a paid member in good standing of the Band Boosters proposes an addition, removal or change to the Constitution or By-Laws. A written request for a new, deleted or changed constitutional article or by-law will be initially submitted to the President or Vice-president by any paid Band Booster member in good standing. Two (2) additional paid Band Booster members in good standing need to sign the request. Written requests need to state the existing constitutional article or by-law and exact wording of the requested change. A committee will be responsible for determining if the request notes the correct constitutional article or by-law, location and will facilitate the request and approval process. The committee will also determine where a new constitutional article or by-law will be located within the Constitution and By-Laws.

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The proposed change to the Constitution and By-Laws must be read at two (2) consecutive General Booster meetings. It can be read by the requestor or a member of the committee. At the second meeting the proposed change can be motioned, seconded, and voted upon. The proposed change must be approved by a 2/3 (two-third) vote to be accepted.

Any amendment or revision to the Constitutional or By-laws ratified will become active immediately following ratification.

CONSTITUTIONAL ARTICLE VI

MEETINGS

The regular meetings of the Band Boosters will be held on the first Monday of the month from September through June. In the event of a school closing, the date of the Booster meeting will be established as soon as possible at the discretion of the President and the Director of Bands. The date for July and August meetings will be established at the discretion of the President and the Director of Bands. The attendance of ten (10) band booster members will constitute a quorum at all regular meetings for the following: Minutes, Treasurer Report and to pay yearly (non-reimbursement bills) such as Go Daddy (Website and Email Services), Domain Name Fee, Charms, Booster Insurance, Dry Cleaning, Uniform Glove Inventory Replenishment, Taxes, 501c3 Designation Renewal and Football Program Ad. A Quorum of thirteen (13) shall be needed for all other financial matters.

CONSTITUTIONAL ARTICLE VII

PARLIAMENTARY PROCEDURE

PHS Band Boosters will follow Roberts Rules of Order.

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BY-LAWS

ARTICLE I

OFFICERS

President

- Section 1 - The President shall preside at all meetings of the organization, appoint all committees, and have privileges to attend all meetings of the committees. The President and Vice-President will have (1) monthly meeting with the Band Director to discuss any and all present issues. The President shall be able to spend up to \$100.00 with a co-signature of one (1) other executive board member. . Anything over \$100.00 that can't wait until the next meeting can be approved by three (3) executive board members, The President, Vice-President and one (1) more board member with a cap of \$500.00 per month. All purchases above need to be presented at the next meeting.

Vice President

- Section 2 - The Vice President shall assume all duties of the president in his or her absence. The vice president shall assist the president in his or her duties as needed. The vice president shall be responsible for the formation, staffing and overseeing of ALL committees. The Vice President will report on these committees during the monthly booster meetings. In the event the president steps down or can no longer serve as president, the vice president will fill in as Acting-President until a new president is elected (see Article III, Section 7).

Treasurer

- Section 3 - The treasurer shall keep an accurate record of all receipts and disbursements, showing each activity separately as well as a complete record of all funds. The treasurer shall notify the general membership of placement of all monies into any accounts. The treasurer shall keep an accurate record of all funds earned by band members from all fund-raising events. All cash that is received by the Treasurer shall be counted when it has been received and a receipt be issued immediately. If the Treasurer receives cash from a committee, it shall be counted with the committee chair present and signed for at that time. The treasurer will work together with the Fundraising Chair on all monies received and will appropriately document this. All deposits must be made within 7 days of receipt of funds. The treasurer is responsible to ensure all deposits and withdrawals are maintained in Charms. No blank checks shall be given out for shopping purchases. Reimbursements will only be made once the original receipts are handed in. Reimbursements will be made within 30 days of received receipt or the next booster meeting; whichever comes first. In the event the treasurer is shopping, those receipts will be submitted to the President and Vice-President for approval and reimbursement. An accounting shall be available at each meeting or through the band director. The Treasurer shall report member records at each monthly Band Booster meeting. The Treasurer will develop and implement a system of acknowledgement when funds are transferred between a Chairperson, Executive Board member and the Treasurer.

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Recording/Corresponding Secretary

- Section 4 - The Recording/Corresponding Secretary shall keep accurate records and minutes of all meetings and maintain the correspondence of the organization. It shall be his/her duty to send out all notices as directed by the president or by the band director. Minutes will be circulated within two (2) weeks after a Booster meeting. The agenda for each Booster meeting will be circulated via email to the general membership no later than one (1) day prior. The Secretary will determine that a quorum is present at all meetings.

Fundraising Chair

- Section 5 - The Fundraising Chair will be the chair for the fundraising activities and shall help identify fundraising opportunities and shall work to ensure that all fundraising projects are equipped with volunteers and materials needed with the assistance of the Vice-President. The Fundraising Chair will submit all required forms to the appropriate organizations for approval. The Fundraising Chair along with the other members of the Executive Board and the Director of Bands will work to obtain corporate sponsors for the Booster organization. All forms, fundraisers, etc. must be forwarded to the Webmaster upon the approval of the event immediately following the booster meeting.

SAF (Student Allocated Fund) Coordinator

- Section 6 - The SAF Coordinator will oversee the student allocated funds portion of Charms. They will ensure that the Treasurer is making accurate and timely deposits into the SAF accounts. They will also track and maintain all SAF withdrawal requests by the students and parents. The SAF Coordinator will report to the President.

ARTICLE II

THE EXECUTIVE BOARD

- Section 1 - The Executive Board shall consist of the President, Vice-President, Treasurer, Recording / Corresponding Secretary and Fundraising Chair.
- Section 2 - The Executive Board shall not consist of any two or more members of an immediate household.
- Section 3 - For removal of an Executive Board member, a formal, written complaint needs to be filed with

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the highest-ranking non-involved board member. The complaint will be reviewed by the Executive Board in the absence of the involved party. Findings by the Executive Board will be communicated to both parties allowing a chance for rebuttal. If the parties cannot come to an agreement/resolution on their own, the findings should be discussed at the next general Booster meeting. The attendees of that meeting may vote for impeachment/resignation, which will require a 2/3 (two-thirds) majority of the membership at the current meeting.

Criteria for removal would include:

- a. Failure to perform duties of office
- b. Misuse of funds
- c. Blatant and/or frequent violations of the by-laws
- d. Any inappropriate behavior as outlined by the Phillipsburg School District Board of Education.

ARTICLE III

TERMS OF OFFICE AND ELECTIONS

The term of office shall be for one (1) year for all Executive Board positions and SAF Coordinator.

- Section 1 - The nominating committee shall present a slate of candidates for all Executive Board positions and the SAF Coordinator to the general membership during the April meeting.
- Section 2 - The officer elections will take place during the May Booster meeting by paper ballot in person.
- Section 3 - Nominations may be made from the floor on the day of the election. Both the nominator and the nominee must be present. The nominator must present his/her case for the nomination.
- Section 4 - Anyone not winning an office position may be nominated and run for the next position.
- Section 5 - Elected officers will assume their office during New Business at the June Meeting.
- Section 6 - It is the responsibility of the outgoing officers to provide transitional assistance during June and hand over any logins and passwords pertaining to that office as well as any documents, props/banners and any miscellaneous items that would aid in the transition. When new officers

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take over, all log-ins and passwords will be changed after old ones are given by previous Officer. ie; Charms software

- Section 7 - In the event of a vacancy of office or removal from office, a special election will be held to fill the vacancy.
- Section 8 - In order to be nominated for a position; the booster must have attended six (6) meetings of the prior year.

ARTICLE IV

STANDING COMMITTEES

Chaperone Committee

- Section 1 - It shall be the duty of the Chaperone Committee to select members from the PHS Band Boosters to accompany the Band as chaperones whenever the Director of Bands deems necessary. The Chairperson(s) shall submit the names selected to the band director for final approval. In order for Band Boosters to be chaperones, he or she must be out of high school for at least four (4) years.

Nominating Committee

- Section 2 - The Nominating Committee shall have a minimum of three (3) members appointed from the general membership at the February meeting. It shall be the duty of the Nominating Committee to select a slate of candidates for the Executive Board from the active members of the Band Boosters and to coordinate with the Secretary to confirm all criteria has been met. Refer to Article 3 for requirements.

Auditing Committee

- Section 3 - The duties of the Auditing Committee shall be to meet after the March meeting for the purpose of auditing the Band Boosters books and report back to the general membership at the April meeting. The committee shall consist of at least three (3) members at large. It shall be the responsibility of the Vice President to organize the committee or to make a general booster population motion to hire an outside CPA for auditing purposes. Any booster who held a board position during the year of audit or previous year shall be ineligible to be on this committee.

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Scholarship Committee

- Section 4 - The Scholarship Committee shall review and select the scholarship recipients from those Senior student(s) submitting his/her application for the Band Booster Scholarships. The committee shall consist of at least three (3) members at large of which no member is a Senior Parent

Band Banquet Committee

- Section 5 - The Band Banquet Committee shall help organize the Band Banquet. Duties include, but are not limited to making and sending out invitations, ordering and/or preparing food, decorations, planning a location, securing sponsors, etc.

Hosted Marching Band Festival

- Section 6 - The duties of the Hosted Marching Band Festival Committee are to help organize the annual Band Festival including, but not limited to program sales, parking, concessions, etc. The committee will be made up of members at large to organize and propose motions for the general populations' vote regarding ads, student allocation breakdown, and other festival needs within a sufficient period of time prior to the festival.

Hosted Jazz Festival

- Section 7 - The duties of the Hosted Jazz Festival Committee are to help organize the annual Jazz Festival including, but not limited to admission pricing, concessions, advertisement, etc. The committee will be made up of members at large to organize and propose motions for the general populations' vote regarding the proposed expenditure for the event, any student allocation breakdown, and other festival needs within a sufficient period of time prior to the festival.

Equipment Crew

- Section 8 - The duties of the Equipment Crew are to help organize logistics surrounding away band competitions or band trips including the transportation of any food/refreshments, travel logistics, etc. The committee will be made up of members at large to organize and propose motions for the general populations' vote regarding the proposed expenditure for the event and other needs within a sufficient period of time prior to the event.

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Bi-Annual Review Committee of the Constitution and By-Laws

- Section 9 - A Bi-annual Review Committee of the Constitution and By-Laws shall be formed during the month of January every two years (even numbered years) to review and (if applicable) amend the PHS Band Constitution and By-Laws. This committee shall consist of a paid booster representative from each grade level (8-12). If the required representatives are not available, another paid booster representative from any grade level (8-11) can be used. Not to exceed 2 paid booster representatives from any grade level.

Proposed By-Law Change Committee

- Section 10 - A Proposed By-Law Change Committee shall be formed by the President when a By-Law change is submitted by a paid Band Booster member in good standing. This committee shall consist of one (1) chairperson and 2 (two) additional committee members. All members need to be paid Band Booster members in good standing. The committee cannot consist of any of the 3 members represented on the proposed By-Law change request. It does not matter the grade representation of the committee chair or members.

Fundraising Committee

- Section 11 - The responsibility of the fundraising committee is to research possible fundraisers and to report to the Fundraising Chair the results of the research. If the fundraiser is considered viable by the Fundraising Chair and Vice-President, the fundraiser will be presented at the next Band Booster meeting. If time is of the essence the Executive Board may decide prior to the next month's booster meeting to accept the fundraising idea. During the next meeting the Executive Board must inform the Band Boosters of their decision. Each fundraising activity requires that there be a Band Booster sponsor who manages the given fundraising activity. It will be determined at that time how the fundraiser will be applied to either the general fund or the student allocated accounts.

Social Media Committee

- Section 12 - The responsibility of the social media committee is to maintain the various social media sites (e.g Facebook, Twitter, and any other means of electronic communication). This will include posting pictures, maintaining the list of email addresses, maintaining the website and sending out communications as required from the Executive Board or the Director of Bands in coordination with the Secretary. The committee will follow the guidelines provided under Article IX ELECTRONIC & SOCIAL MEDIA GUIDELINES.

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Uniform Committee

- Section 13 - The duties of the Uniform Committee are to assist the band director by issuing uniforms, establishing uniform fees, maintain the uniform room, ordering show shirts and providing for periodic cleaning of the uniforms. The committee will be made up of members at large to organize and propose motions for the general populations' vote regarding the proposed expenditures for uniforms and uniform related expenses. The uniform committee will also be responsible for enforcing the food guidelines for when the students are in full uniform.

Welcoming Committee

- Section 14 - The duties of the Welcoming Committee will be to work with new parents and students to help them answer questions regarding the Boosters and the band. The committee will help introduce them to other Booster members, encourage them to become Boosters and help on Committees. Welcoming committee chair will add a copy of the Constitution and By-Laws to each new member packet.

ARTICLE V

MEETINGS

- Section 1 - All officers are expected to attend all Band Booster and Executive Board meetings. All officers must see that their reports are prepared and presented at all meetings whether they attend or not.
- Section 2 - Special meetings may be called by the President or Vice President (in the absence of the President) and general membership must be notified by band app or booster blast within 24 hours.
- Section 3 - Exiting officers shall have all materials (books, account cards, keys, login/passwords, etc.) associated with the board positions ready to be turned over at the end of Old Business at the June meeting to the newly elected officers. During the May meeting after elections; the incoming Board will shadow the exiting board during the remainder of the May meeting and the beginning of the June meeting so they can become accustomed to how the meetings are run. Officer certification shall be signed by the officers in June to be sent to the bank so that business may continue without interruption. When new officers take over, all log-ins and passwords will be changed after old ones are given by previous Officer. ie; Charms software.

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- Section 4 - One must be a PAID PHS Band Booster in good-standing in order to vote (in elections or Booster business), to be an Officer, or to Chair any committee. One does NOT need to be a paid booster to volunteer to help a committee at a major event (i.e. Neil Boyer), although it is strongly encouraged.

ARTICLE VI

STUDENT ALLOCATED FUNDS

- Section 1 - Student allocated funds will be allotted to a student based on the extent of his/her participation (and/or parent's/guardian's participation) in fund-raising events. Funds allotted through working fundraising events (eg, concession stands, program sales, parking lot) will be credited to the designated Student allocated fund.
- Section 2 - Monies from student allocated funds may be used for approved required uniform, or equipment/attire. The student's parent/guardian must provide a written request and have the request approved by the SAF Coordinator in advance. If advanced approval was not obtained, the expense is at the sole responsibility of the student. No monies will be allotted out of a student allocated fund without this written request.
- Section 3 - Outstanding student payments (e.g., dry cleaning costs) owed can be deducted from the Student allocated fund upon the vote by and at the discretion of the Executive Board.
- Section 4 - Students shall have the ability to withdraw funds for the cost of band-related expenses for that year's trip(s). The Executive Board will determine, in advance, the date required for the fund requests to be submitted. The student's parent/guardian must request the transfer in writing to the SAF Coordinator in order for the funds to be used. No monies will be allotted out of a student allocated fund without this written request. Additional incidental expense funds may be taken out of the student's allocated fund based on the Band Boosters' motion determining an appropriate per day amount for that specific trip. In the event a trip is canceled for whatever reasons, it is agreed that any money taken from the Student Allocated Fund, is returned to that students account by the parent/guardian.
- Section 5 - Upon graduation, any remaining monies in the Student Allocated Fund, if chosen by the student, may be transferred to a sibling's/first cousin account, providing the sibling/first cousin is in the band the next school year.

He/She may also choose to put the monies into:

- a. Scholarship Fund (for the Melissa M. Genowitz Memorial Scholarship and Neil Boyer Scholarship)

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- b. the Band Improvement Fund (See ARTICLE VIII),
- c. the Phillipsburg High School Band Booster General Fund.

If no written decision is made upon graduation, the money will be considered abandoned, and the Executive Board will determine where the funds will be allocated.

- Section 6 - In the event that a current Band Member, in good standing, requests his/her Student Allocated Funds be withdrawn for a Choir Program, the Band Member and parent/guardian must submit a written request to the Band Booster Executive Board.
- Section 7 - Only Executive Board Members and the fundraiser Chairperson will be able to accept CASH for fundraiser activities. It is encouraged that you submit these funds in Check or Money Order form: made out to the Phillipsburg Band Boosters; however, if CASH is the only means; it must go directly to the Executive Board Members or the fundraiser Chairperson and a receipt for funds will be issued immediately. All fundraising funds are required to be turned into the Treasurer no later than 2 weeks from the conclusion of the fundraiser. The current Treasurer will develop and implement a system of acknowledgement to document when funds are transferred between a Chairperson, Executive Board Member and Treasurer.
- Section 8 - All Student Allocated Funds should be updated by at least the third (3rd) week of the month.
- Section 9 - A 1099 Miscellaneous form shall be issued on non-payment or non-return of SAF.
- Section 10 - The profits from all fundraisers are divided 60% to General fund and 40% to SAF unless otherwise voted on by the Booster members at the creation of the fundraiser. See Article VI section 1 for details. Exceptions may include Neil Boyer and Lawn "P".
- Section 11 - If a student or parent chooses to use an individual crowdfunding source (for example, GoFundMe) as a means of personal fundraising for a band/dance team trip, the student will not be approved to use their SAF account or any group band/dance team fundraising monies earned specifically earmarked for said trip.

ARTICLE VII

GENERAL FUND

- Section 1 - Any person/business that have transactions/checks that have returned for insufficient funds will be responsible for all fees incurred and not be able to write personal or business checks any longer. In the future, they will only be able to pay with cash, bank check, or certified money order.

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ARTICLE VIII

BAND IMPROVEMENT FUND

- Section 1 - The treasurer shall maintain a separate account of the Band Improvement Fund. The source of funding for the Band Improvement Fund shall be from student accounts if so designated by a student (Refer to Article VII, General Fund) or donations from any individual or group that wishes to direct monies to the Band Improvement Fund.
- Section 2 - The Band Improvement Fund is intended to be used for the purchase of equipment or instruments that will be of long-term benefit to the band. Long-term is defined to be four (4) years or longer. It excludes consumable items like reeds, drumsticks, mallets, covers, etc.)
- Section 3 - Requests for purchases to be funded from the Band Improvement Fund shall be made by the Director of Bands to the Executive Board. The Executive Board shall review the requests and bring appropriate proposals to the general membership for a vote.

ARTICLE IX

ELECTRONIC & SOCIAL MEDIA GUIDELINES

The Band Boosters recognize the importance of the Internet in shaping **positive** public thinking about our organization and our current and future activities. Social media sites allow the Band Boosters to connect to members and potential members in a very interactive way. The Band Boosters also recognize the importance of our Booster Membership joining in and helping shape conversation and direction through interaction in social media. The Band Boosters are committed to supporting honest, transparent, and knowledgeable dialogue on the Internet through social media.

All official social media accounts are managed by the **webmaster**. The **webmaster** is responsible for the security of passwords and upkeep of these accounts. The **webmaster** grants access to other Booster Members to administer groups on the platforms and to post content when applicable.

At no time; will a student be allowed access to the band booster's social media accounts. If they are in need of having pictures or announcements shared, all information will be provided to the Webmaster and the Band Director for approval.

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Keep a friendly and professional tone when posting updates and having conversations with supporters. When posting or replying to a message, take the time to review the content to ensure it cannot be interpreted in any negative light. And you should reply to comments in a timely manner if a response is needed.

ARTICLE X

Non Permitted Activities Under US Internal Revenue Law

Notwithstanding any other provision of these articles, the Corporation shall not carry on any other activities not permitted to be carried on by a Corporation 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 (by a Corporation contributions to which are deductible under Section 170 (c)(2) of the Internal Revenue Code of 1954 (or the corresponding provision of any further UNITED STATES INTERNAL REVENUE LAW).

ARTICLE XI

Dissolution

Upon dissolution of the Phillipsburg High School Band Boosters, Inc., assets shall be distributed for one or more exempt purposes within the meaning of Section 502(c)(3) of the Internal Revenue Code, or shall be distributed to the Federal Government, or to a state or local government, for a public purpose.

REVISION HISTORY

REVISED 1983	AMENDED 2000	REVISED 2010	REVISED 2022
AMENDED 1983	AMENDED 2002	AMENDED 2010	AMENDED 2022
AMENDED 1984	AMENDED 2003	REVISED 2014	REVISED 5/2023
AMENDED 1991	REVISED 2008	AMENDED 2014	AMENDED 5/2023
AMENDED 1992	AMENDED 2008	REVISED 2018	AMENDED 9/2023
AMENDED 1993	REVISED 2012	AMENDED 2018	
AMENDED 1994	AMENDED 2012	REVISED 2020	