

BOOSTER CLUB BYLAWS

THE LIVE OAK HIGH SCHOOL BAND AND COLOR GUARD BOOSTER CLUB, INC.

Dated: December 2, 1987

Revised: September 11, 2005

(11 pages including cover)

ARTICLE I

ORGANIZATION

- Section 1. The name of this organization shall be “The Live Oak High School Band and Color Guard Booster Club, Inc.” and shall be referred to in the following articles as the “Booster Club”.
- Section 2. This organization is a non-profit corporation organized under Section 230OLD, Revenue And Taxation Code, and as such is exempt from state franchise or income tax under the cited code.

ARTICLE II

PURPOSE

- Section 1. The Booster Club shall cooperate fully with the Principal of the Live Oak High School and his/her active representative, the Live Oak High School Band Director, and shall abide by the regulations of the Morgan Hill Unified School District.
- Section 2. The Purpose of the Booster Club shall be to raise funds to further the cause of the Live Oak High School Bands and Color Guard.
- Section 3. The Booster Club shall solicit and receive all donations and gifts to provide for the general needs of the Live Oak High School Bands and Color Guard.
- Section 4. The Booster Club is not formed with a view to, or for the purpose of pecuniary gain or profit to its membership.
- Section 5. This organization shall be governed by the “Robert’s Rules of Order”.
- Section 6. The Booster Club business and fiscal year is 1 August through 31 July.

ARTICLE III

MEMBERSHIP

- Section 1. Membership in the Booster Club shall be open to all individuals who support the Live Oak High School Bands and Color Guard and agree to abide by the bylaws. The voting rights, privileges, and property of members shall be as stated in these bylaws. There will be three (3) classes of members, regular members, student members, and affiliate members, as defined in Sections 2, 3, and 4, respectively.
- Section 2. Regular members (“members”) must meet at least one of the criteria below. Regular members shall be eligible to vote, hold office, constitute a quorum and have all other rights common to the general membership.
- a) Parents or legal guardians of students in the Live Oak High School Bands or Color Guard.
 - b) Adults who attend at least 3 Booster Club membership meetings during a 12 month period.
 - c) Adults who participate in at least one Booster Club authorized fundraiser or provide support to at least one Band or Color Guard activity during a 12-month period.
- Section 3. Student members shall be all current members in good standing of the Live Oak High School Bands or Color Guard. Student members shall not be eligible to vote, hold office, or constitute any portion of a quorum but shall have all other rights common to the general membership.
- Section 4. Affiliate members shall be places of business, community organizations, alumni, and individuals wishing to support the Booster Club but who are not eligible for Regular Membership under Section 2. Affiliate members shall not be eligible to vote, hold office, or constitute any portion of a quorum but shall have all other rights common to the general membership.

ARTICLE IV

FUNDING

- Section 1. Contributions to the General Fund – All Contributions paid or made to the Booster Club shall become the property of the Booster Club General Fund, the contributor having no further claim thereto.
- Section 2. Fundraising – Revenues for the operation of the Booster Club shall be raised by:
- a) Bingo (Refer to Article XIII and XIV)
 - b) Designated fundraising activities that must be approved by the Executive Board.

ARTICLE V

OFFICERS

Section 1. Officers comprised of active Booster Club members shall be elected at the first meeting in May of each year and take office in August. Officers are elected for the terms of one year. The elected officers of the Booster Club shall be members of the Executive Board.

The elected officers shall be:

- a) President
- b) Vice-President (Activities Chairperson)
- c) Treasurer
- d) Recording Secretary
- e) Corresponding Secretary
- f) Publicity Chairperson
- g) Bingo Board President
- h) Bingo Treasurer
- i) Student Point Chairperson

Section 2. The Live Oak High School's Band Director is an officer of the Booster Club *ipso facto* and is recognized as the lawful representative of the Live Oak High School principal. He/she shall be an ex-officio member of all committees.

Section 3. Vacancies occurring during the year may be filled by an election of the membership, to be held within thirty (30) days after vacancy.

ARTICLE VI

DUTIES OF OFFICERS

Section 1. The President of the Booster Club shall:

- a) Conduct all meetings of the Booster Club
- 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 booster club.
- d) Co-sign and approve checks for expenditures
- e) Coordinate with the Band Director the preparation of an operating budget in advance of the fiscal year. The budget will be presented to the Executive Board in August and submitted to the general membership for approval during the September meeting.
- f) Serve as an advisory officer following his/her term of office and shall be designated as "Past President".

Section 2. The Vice-President shall:

- 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) Appoint assistants as required.
- c) Coordinate all fundraising activities (excluding Bingo).
- d) Report directly to the President of the Booster Club on the progress of the various committee chairpersons in charge of Booster Club fundraising activities.
- e) Coordinate permanent activity information books.
- f) Review By-laws annually and present, in writing, at the May meeting any recommended changes for approval by the membership at the most appropriate subsequent meeting.

Section 3. The Treasurer shall:

- a) Be responsible for keeping a full and accurate record of all financial matters of the Booster Club.
- b) Be responsible for the billing, collection, receipt, dispersal, and recording of contributions and all Booster Club funds as directed by the membership and Executive Board members.
- c) Maintain a permanent and accurate set of records detailing all funds received, deposited, and disbursed. These records shall be the permanent property of the Booster Club and shall be available for examination by its members.
- d) Be responsible for the disbursing of expenditures approved of and authorized by the membership and the Executive Board.
- e) Give detailed and accurate report of all receipts and expenditures at all regular Booster Club meetings and Executive meetings.
- f) Present an annual audited financial report within two months of the end of the Booster Club fiscal year. The Booster Club fiscal year shall be August 1 through July 31.
- g) Have authority to co-sign and approve checks as needed.

Section 4. The recording Secretary shall:

- a) Keep an accurate record of the minutes of all meetings of the Executive Board and all regular Booster Club meetings.
- b) Perform other duties as delegated by the President.

Section 5. The Corresponding Secretary shall:

- a) Be responsible for all correspondence including notices of meetings, i.e. phone committees.

- b) Maintain a list of all members' names, addresses, e-mail, and telephone numbers.
- c) Perform all such other duties as delegated by the President.

Section 6. The Publicity Chairperson shall:

- a) Write all articles for publication in the news media relating to the Booster Club, Band and Color Guard activities.
- b) Have all articles written for publications relating to the Booster Club and Bands and Color Guard reviewed by the President or the Band Director.
- c) Act as liaison to the Webmaster.

Section 7. The Bingo Board President shall:

- a) Be responsible for the duties of 'Personnel' as described in the Live Oak Bingo job description, recruitment and sign-up of volunteers, creation of the bingo calendar and team rosters, coordination of special bingo days, and scheduling and facilitation of bingo meetings.
- b) Support bingo team captains as needed.
- c) Coordinate the activities of the Bingo Board (consisting of the buyer, maintenance facilitator, personnel coordinator, and treasurer).
- d) Represent Bingo on the Executive Board.

Section 8. The Bingo Treasurer shall:

- a) Be responsible for keeping a full and accurate record of all financial matters pertaining to Bingo
- b) Be responsible for the billing, collection, receipt and dispersal of all Bingo funds as directed by the membership and Executive Board members.
- c) Maintain a permanent and accurate set of records detailing all funds received, deposited, and disbursed. These records shall be the permanent property of the Booster Club and shall be available for examination by its members.
- d) Be responsible for the disbursing of expenditures approved of and authorized by the membership and the Executive Board.

Section 9. The Student Points Chair shall:

- a) Keep accurate student points records.
- b) Post the most current student points summary at every regularly scheduled booster meeting.
- c) Provide detailed student point summary reports to individuals when requested. Reports should be distributed in a timely fashion.

Section 10. The Executive Board shall:

- a) Authorize all non-budgeted expenditures up to \$1,000. Any amount above that, excluding emergency repair/replacement of critical equipment must be approved by a simple majority vote of the membership present at any regular or special meeting of the Booster Club.
- b) Make recommendations to the general membership and exercise supervision over the affairs of the Booster Club.
- c) Appoint a Financial Audit Committee, consisting of 3 Booster Club members other than the Treasurer or Bingo Treasurer, or appoint a certified public accountant to audit the books of the Booster Club. CPA shall be a third party with no personal ties to the Booster Club.
- d.) Determine and authorize all necessary transfers of approved budgetary funds.

ARTICLE VII

APPOINTED POSITIONS

Section 1. Live Oak High School Director of Bands shall appoint the following:

- a) Uniform Manager
- b) Emerald Regime Invitational Director

Position responsibilities are as noted in the handbook.

ARTICLE VIII

MEETINGS

Section 1. The Booster Club shall meet once each month on the first Wednesday of every month at 7:30 PM at Live Oak High School.

Section 2. Executive Board meetings shall be held at a time and place which shall be designated by the President of the Booster Club or the Band Director, as needed.

Section 3. The President or a chairperson for the purpose of transacting specific business of a non-monetary nature may call a special meeting of the membership, Executive Board, or committees at any time.

Section 4. Following the election of new officers, the President shall call a special meeting of the Executive Board and Executive Board- elect for the purpose of organizing, appointing, and planning activities for the upcoming year.

Section 5 The order of regular Booster Club meetings shall be:

- a) Call to order
- b) Reading of the minutes of the last meeting and action thereon.

- c) Report on correspondence
- d) Treasurer's report
- e) Band Director's report
- f) Committee reports
- g) Unfinished business
- h) New business
- i) Adjournment

Section 6. Unless otherwise stated in these bylaws, a simple majority vote of members in attendance is required for each proposal placed before the membership.

ARTICLE IX

ELECTION OF OFFICERS

Section 1. A nominating committee may be appointed by the President, consisting of regular Booster Club members at the Booster Club meeting in March of each year. The nominating committee shall prepare a list of names for the offices of the Executive Board and shall present this list to the membership at the April meeting. The election of officers shall be held at the May meeting of the Booster Club. Nominations shall be accepted from the floor at both the April and May meetings.

ARTICLE X

AMENDMENTS

Section 1. Proposed amendments to these bylaws may be submitted in writing by the membership at large at regular meetings of the membership.

Section 2. Amendments to these Bylaws must be reviewed by the Live Oak High School Band Director to assure there is no conflict with school regulations. No changes will be made that violate school regulations

Section 3. Adoption of amendments to these bylaws shall require a two-thirds (2/3rds) majority vote of the membership in attendance at the following regular monthly meeting.

ARTICLE XI

SIGNATURES

Section 1. All checks written on the Booster Club account must be signed by two (2) of the following who are unrelated to each other:

President
Treasurer of the Booster Club
Band Director

ARTICLE XII

BINGO COMMITTEE

- Section 1. The Bingo Committee shall operate in accordance with Ordinance No. 453 of the City of Morgan Hill and as subsidiary of the Live Oak Band and Color Guard Boosters, Inc., with the purpose being to raise funds for Live Oak High School Band and Color Guard Booster Club.
- Section 2. The Bingo Board shall have a President and a separate treasurer who will serve on the Executive Board of the Booster Club.
- Section 3. Bingo Treasurer will prepare an operating budget for the upcoming year and present it to the Booster Club Executive Board in August.
- Section 4. The Bingo Treasurer shall maintain a complete and accurate record of the Bingo Committees financial activities. The financial record shall be maintained separate from the Booster Club financial activities.
- Section 5. The Bingo Treasurer shall present an annual fiscal report of the Bingo Committee's activities, audited by a Financial Audit Committee appointed by the Executive Board (see Article VI, Section 10) or audited by a third party certified public accountant, to the Executive Board within two months of the close of the Booster Club's fiscal year

ARTICLE XIII

BINGO FUND DISBURSEMENTS

- Section 1. The Bingo Treasurer shall present its quarterly proceeds and balanced books to the Treasurer of the Booster Club by the 30th of the following month. Estimated monthly advances are to be deposited in the Booster Club General Fund and will be reconciled at the end of each quarter with the balanced books.
- Section 2. Any checks written on the Bingo Account must be signed by two (2) of the following who are not related to each other:

Bingo President
Bingo Treasurer
Booster Club President

- Section 3. The Booster Club is affording Martin Murphy and Britton Middle School and Ann Sobrato High School Band Booster Clubs the opportunity to participate in the Bingo program to generate revenue for the enhancement of their school music programs. The participation and distribution of funds will be in the following manner:
- a) Parents and other adult supporters of school music students may become members of a Live Oak High School Bingo Team.
 - b) For the purposes of revenue allocation, the net Bingo revenue will be calculated on a quarterly basis by subtracting the actual total expenditures (including, but

not limited to the cost of paper, pull tabs, supplies, food, prizes, security, facility usage fees, student points, allocations to the bingo capital expenditures fund, and the music growth fund) from the actual deposits from the bingo sessions conducted during the quarter.

- c) The net revenue will be allocated between the Booster Club General Fund and the middle school band booster clubs based on the ratio of total hours worked by the supporters of an individual booster club during a month to the total hours worked by all supporters during that month. The combined other school allocation may not exceed 40% of the net revenue for a month. If a reduction in other school allocations is necessary to meet the 40% limitation, it will be based on the ratio of hours worked by supporters from each affected other school. The Bingo Treasurer is responsible for monitoring this ratio and making allocations as necessary.
- d) The middle school allocations will be disbursed on a quarterly basis. The Bingo Booster Club Treasurer will make payment of the disbursements within 30 days after the end of the quarter provided, however, that each other school Booster Club receiving funds must present satisfactory evidence of its non-profit status before the first such payment in each fiscal year.
- e) Executive Board authorized "Special" bingo sessions conducted by other school Band Booster Clubs are exempted from the 60% /40% allocation of net revenues. All net revenue will be distributed in accordance with the designated purpose of the special session.

Section 4. The Bingo Treasurer will request, at the end of each fiscal year, a summary accounting of the disbursement during the fiscal year of Bingo earnings from each Booster Club receiving allocations. The summary will be reviewed with the Executive Board. Failure to provide the summary within 30 days of the request may result in suspension of participation in the Bingo program at the discretion of the Executive Board.

Section 5. Each Bingo Team member is responsible for identifying the Booster Club or Clubs they are supporting. Live Oak Booster Club members are responsible for designating a student they are supporting under the student points system (see Article XIV); otherwise, the points will be assigned to the general fund.

ARTICLE XIV

LIVE OAK STUDENT POINT SYSTEM

Section 1. Each student member of the Live Oak High School Bands and Color Guard will have the opportunity to earn points. Points will be recorded and accounts maintained by the Student Points Chairperson.

Section 2. Points may be earned through students participating in fundraising events authorized by the Booster Club. Parents and other supporters may also earn points by participating in such fundraising events. Points earned in this fashion may only be deposited in designated student point accounts or in the Booster Club general fund.

Section 3. Only students currently enrolled in the band program may maintain point accounts. Student taking a leave of absence that has been pre-arranged with the Band Director may

have their individual point accounts held for a period of time designated by the Band Director.

Section 4. Points may be converted into an offset of costs for approved band or color guard trips, competitions, materials and other band/color guard related expenses as long as the student is a member of the bands or color guard.

Section 5. Points earned through fundraising may not be sold. Points may be transferred between current member's accounts and one who will be joining the following year. When a student leaves the Band or Color Guard, parents have thirty days to designate the disposition of points by written notice to the Booster Board. If he or she does not, the undesignated points will revert to the Booster Club general fund.

Section 6. The Booster Club will accept transfer of student points, designated as such, from other approved school Booster Clubs when a student becomes a member in good standing of a Live Oak High School Band or Color Guard. Such requests must be made by letter from the student's parent/legal guardian to the Booster Club President.

END OF DOCUMENT