

**BY-LAWS OF HARRISON HIGH BAND BOOSTERS, INC.**

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**May 22, 2018**

**Revision 7**

**ARTICLE I: INCORPORATION**

**SECTION 1.** The corporate name of the organization is HARRISON HIGH BAND BOOSTERS, INC., hereinafter referred to as the CORPORATION.

**SECTION 2.** The principal office and place of business of said corporation shall be 4500 DUE WEST ROAD, KENNESAW, GA 30152. The corporation may establish and maintain an office or offices at such other places, either within or without the State of Georgia, as the Board of Directors may from time to time determine.

**SECTION 3.** The fiscal and budget year may begin at 12:01 A.M. on the first day of July and end at midnight on June 30. Should Federal regulations require the fiscal accounting year to be otherwise, the budget year will stay as indicated.

**SECTION 4.** The seal of the corporation shall be in such form as the Board of Directors shall from time to time prescribe.

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### **ARTICLE II: OBJECT AND PURPOSE**

**SECTION 1.** The object and purpose of the corporation shall be:

1a To promote ways and means of providing for the needs of the HARRISON HIGH SCHOOL BAND PROGRAM above those supplied by the Cobb County School District (“CCSD”). Harrison High School Band Program (the “Band Program”) shall mean all academic and extra-curricular activities sponsored by or organized by the current Band Director(s) of Harrison High School, including band and percussion classes offered during the school day, marching band and color guard, jazz band, indoor percussion, winter guard, among others. The corporation shall seek neither to direct the instructional or academic activities of the Band Program or the interaction between Band Directors and students in execution of their roles as educators, nor control Band Program policies dictated by CCSD or other governing bodies

1b To have but not limited to, all the rights, powers, privileges, and immunities now or hereafter given by law, or as now or hereafter may be enjoyed by a non-profit organization, as those enumerated above, and said powers are made hereof to the extent as if they were quoted herein.

**SECTION 2.** This corporation shall not contemplate pecuniary gain or profit or distribution of profits or dividends to the members thereof.

**SECTION 3.** No officer, Director or member of this Corporation shall be liable for any of the debts of the Corporation, except as such party may personally endorse or guarantee such debt of the Corporation.

**SECTION 4.** This Corporation shall possess all the powers granted by law to any corporation in the execution of its purposes described herein.

### **ARTICLE III: MEMBERSHIP**

**SECTION 1.** All parents and/or guardians of students enrolled in or participating in the Band Program during a school calendar year are automatically members of the corporation and are eligible for election to office of same during that year. The Board of Directors may establish reasonable dues to the active membership.

**SECTION 2.** The Board of Directors may from time to time admit to membership interested persons who are not parents or guardians of Band Program students.

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### **ARTICLE IV: BOARD OF DIRECTORS**

**SECTION 1.** The Board of Directors shall consist of not less than three (3) nor more than twenty (20) members. Members of the Board of Directors are defined as the position or title of the officers of the corporation. Each position, regardless if it is a singular person or 2 or more “co-“ persons shall only count as one member (i.e., co-Treasurer = 1 member). The Board of Directors shall be elected by a plurality of the members of the Corporation present at the election meeting.

**SECTION 2.** Members of the Board of Directors shall be officers of the Corporation described in ARTICLE V of these By-Laws. The Band Director(s) shall be non-voting ex-officio members.

**SECTION 3.** Each member of the Board of Directors shall have one vote, except that the President shall not have a vote except when needed to break a tie vote of the other members. The President shall still count toward forming a quorum when in attendance.

**SECTION 4.** The Board of Directors shall have the power and duty to recommend to the membership the establishment of policy and control of the operation of the Corporation, acting through the President, other officers and Board members.

**SECTION 5.** Term of Office. Members of the Board of Directors shall hold office for a period of approximately one (1) year between Band Spring Banquet events in consecutive years, or from installation in accordance with this Section 5 until May 15<sup>th</sup> of the following year if there is no Band Spring Banquet event.. No Director shall hold the same office for a period of longer than two (2) consecutive years. The newly constituted Board of Directors shall be elected at the March meeting of the membership. The newly elected officers shall attend without a vote a joint Meeting of the Board of Directors along with the outgoing officers. This joint meeting shall be held after election and before April 15. The newly elected officers shall commence their offices following the Band Spring Banquet, and in any event, no later than May 15<sup>th</sup>.

**SECTION 6.** Early Commencement of Term. In the event that following election of a new Board of Directors at the March meeting but prior to commencement of the Term in accordance with Section 5 of this Article and Article V, Section 3, a member of the Board of Directors notifies the President or in the case of the President, another Officer, or when no President or other Officer is available, a Band Director, of their intent to retire early from their term, then the newly elected member replacing the retiring member for that position may assume the otherwise open position with full effect from the date of retirement by the retiring member.

### **ARTICLE V: OFFICERS**

**SECTION 1.** The officers of this Corporation shall be the President (or Co-Presidents), the Vice-Presidents (or Co-Vice-Presidents) of each of the following: (1) Fundraising, (2) Band Events, (3) Field Operations, (4) Student Attire, (5) Guard & Auxiliary Groups, and (6) Communications &

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Outreach, Secretary, and Treasurer (or Co-Treasurers). The same person shall not hold two (or more) offices concurrently.

**SECTION 2.** The officers of this Corporation shall have at least one student involved in one or more Band Program activities. The Secretary shall have the capability of recording and maintaining accurate records of all meetings. The Treasurer (or Co-Treasurers) shall have a working knowledge of basic bookkeeping, financial reporting and accounting procedures.

**SECTION 3.** The Officers of the Corporation shall be elected by a plurality of the members of the Corporation present at the regular March meeting. The membership of the Corporation may concurrently elect the Board of Directors and Officers of the Corporation in a single vote. Each officer shall hold office for approximately one (1) year between consecutive annual Band Spring Banquet events, or until he or she is removed from the office, commencing no later than May 15<sup>th</sup> and ending by May 15<sup>th</sup> of the following year.

**SECTION 4.** A vacancy in any office shall be filled by an election, except for vacancies resulting from early resignation of Board members following the annual election of new Board members in accordance with Article IV Section 6, held at the next regular meeting upon the occurrence of such vacancy, unless all of the offices become vacant by reason of a recall or resignations, in which event the vacancy(ies) shall be filled at the same meeting by which the vacancies were created. A vacancy exists when any officer resigns his, or her, office or is recalled by the members. (Recall procedures are described in ARTICLE IX of these by-laws).

### **ARTICLE VI: DUTIES OF THE OFFICERS**

**SECTION 1.** All officers of the Corporation shall be responsible and accountable for their acts as such to the membership.

**SECTION 2.** The President shall preside at all meetings of the Corporation and of the Board of Directors, shall call meetings as provided by the by- laws, and shall be ex-officio members of all committees. The President shall have the responsibility for the general management of the affairs of the Corporation, and shall carry out the resolutions of the Board of Directors.

**SECTION 3.** The Vice-Presidents shall perform the duties and exercise the powers of the President in the absence of the President. The Vice-Presidents shall be responsible for forming, acting as or naming a Chairperson, overseeing, and reporting on the activities of each of the committees or teams under their purview, and shall perform such duties as may be prescribed by the Board of Directors from time to time. The specific committees and teams and additional duties of each of the Vice-Presidents are as follows:

Section 3.1. Vice-President Fundraising – shall be responsible for committees for all fundraising activity established by the Board, including for example, the 5k-Fall Festival Committee, SAPA or WGI Hosted Event Committee, Sponsorships Committee, General Band

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Fundraising (Bingo, Vertical Raise or similar, Spirit Nights) and Student Fundraisers. They shall ensure each of these Committees is supported by the Board, the membership, and the Band Directors, and assist the President in any way possible.

Section 3.2. Vice-President Band Events – shall be responsible to oversee all organized Band Program Events. They shall name Team Leads who shall be responsible for planning, preparation, and execution of each Band Program Event, and assist Team Leads in recruiting volunteers for Band Program events including for example, Band Camp meals, Fall and Spring Banquets, Senior Night, Marching Band pre-game meals and 5<sup>th</sup> quarter meals, Winter Extravaganza, Night of Jazz, Night of Necessary Noise and Pops in the Park. They shall ensure each of these Teams is supported by the Board, the membership, and the Band Directors, and assist the President in any way possible.

Section 3.3 Vice-President Field Operations – shall be responsible for the Chaperone Team to manage the coordination and training of **chaperones** for Band Program sponsored activities that involve students in non-classroom events, such as: after school rehearsals, football games, parades, trips, concerts, festivals, competitions, band camps, fund raisers, etc; the Equipment Crew to ensure the presence of Band Program **equipment** at Band events and shall maintain track of such equipment and instruments until safely stored back at Harrison High School; and the Logistics Team to manage coordinate with the Band Directors or Band Program instructors the **equipment travel** details for Band Program equipment and coordinate transportation of equipment to and from Band Program sponsored activities, including but not limited to trucks, vans, etc. for moving Band Program equipment and instruments, in support of the Equipment Crew Team Lead;. The Director of Operations can also name coordinators and/or sub-Chairpersons of any operational Band Program event needed for support of the event. They shall ensure each of these Teams is supported by the Board, the membership, and the Band Directors, and assist the President in any way possible.

Section 3.4 Vice-President Student Operations – shall be responsible for the Student Attire Team to inventory, maintenance, issuance and return of **student attire** (including, but not limited to: uniforms or costumes, Band Program required wear, concert tuxedos, and formal dresses) and shall insure that the uniform needs are brought to the attention of the Executive Committee, and the Spirit Shack Team responsible for all Band Program spirit wear and for VIP Parking during Marching Band. They shall ensure each of these Teams is supported by the Board, the membership, and the Band Directors, and assist the President in any way possible.

Section 3.5 Vice-President Guard & Auxiliary Groups – shall be responsible for representing group liaisons of Band Programs other than Marching Band, including HIPE, Winter Guard, Color Guard, Jazz Band and Guard Cadets; the liaisons shall be responsible for assisting the Directors and instructors for each of these Band Programs with preparation of detailed operating budgets for each of these Band Programs, and ensuring that their needs are brought to the attention of the Vice-President and the Board and Directors. The Vice-President Guard & Auxiliary Groups shall ensure each of these liaisons is supported by the Board, the membership, and the Band Directors, and shall assist the President in any way possible.

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Section 3.6 Vice-President Communications & Outreach – shall be responsible for the Communications, Marketing and Alumni Outreach committee(s). The Communications, Marketing and Alumni committee(s) shall be responsible for working with the Band Directors to promote communication and engage in outreach to the membership, alumni, and community at large through use of the Harrison Bands website and newsletter, social media presences and band section liaisons. They shall ensure each of these Committees is supported by the Board, the membership, and the Band Directors, and assist the President in any way possible.

**SECTION 4.** The Secretary shall record the minutes of all meetings and proceedings of the membership and the Board of Directors, and shall perform such other duties as may be assigned to him, or her, from time to time by the President(s) or the Board of Directors. The Secretary shall have custody of the seal of the Corporation, and shall affix and attest the same to documents duly authorized by the Board of Directors. The Secretary shall serve all notices for the Corporation which shall have been authorized by the Board of Directors, and shall have charge of all books and records of the Corporation other than the financial records kept by the Treasurer. The Secretary shall be the Chairperson of the Nominating Committee responsible for identifying and recommending a slate of potential new Board members and officers for election at the March meeting during their Term.

**SECTION 5.** The Treasurer (or Co-Treasurers) shall familiarize themselves with the finances of the Corporation, and shall report at least once each month to the membership regarding the financial condition of this Corporation and shall be responsible for receipt and disbursement of all funds for this Corporation. The Treasurer (or Co-Treasurers) shall be bonded. The Treasurer (or one of the Co-Treasurers) shall sign all checks for disbursement of funds up to and including the amount of \$1000.00. Disbursements exceeding this amount must be co-signed by a Band Director, President, Treasurer or designee of the President that is a voting member of the Board. The Treasurer shall have the care and custody of the funds, securities, and books of account of the Corporation, and shall oversee the deposit of said funds in the name of the Corporation into such bank accounts as the Board of Directors may from time to time determine. The Treasurer(s) shall have the books audited once each year by such auditor as the Board may select. The Treasurer(s) shall be responsible for the RaiseRight fundraising program and either act as or appoint a Program Coordinator; the Treasurer(s) shall be responsible for any physical cards held in inventory by the Corporation for sale.

## **ARTICLE VII: COMMITTEES AND DIVISION OF RESPONSIBILITIES**

**SECTION 1.** The President may appoint special committee chairpersons as the need arises. Each Special Committee Chairperson shall appoint committee members from the organization and the committee shall serve until the need for the committee no longer exists at which time the committee shall be dissolved. All officers may appoint such subcommittees as may be necessary to perform their assigned functions.

**SECTION 2.** The Executive Committee shall be composed of the President, the several Vice-

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Presidents, Secretary, and Treasurer(s). The Harrison High Band Director(s) shall be ex-officio members of the Executive Committee. The Executive Committee shall have full power to take action requiring expediency between regular corporation meetings. Expenditure of funds by the Executive Committee between regular meetings for non-budgeted items shall be permissible but in no case shall the expenditure exceed one hundred (\$100.00) per week or five hundred (\$500.00) between regular corporation meetings. All actions taken by the Executive Committee between regular corporation meetings shall be brought before the members at the next regular meeting for their information.

The incoming Executive Committee, in conjunction with the Band Director(s), shall be responsible for the proposed budget preparation for the upcoming corporation fiscal year. The proposed budget, in expenditure priority order, shall be presented to the corporation membership, at the regular May corporation meeting for discussion and approval. The budget shall include a long-term capital expenditure plan seeking to provide funds for major, periodic equipment purchases not provided by CCSD through the academic program, including but not limited to equipment trucks, uniforms and instruments.

**SECTION 3.** The Board may engage a Bookkeeper and a Band Administrative Assistant as independent contractors. The Bookkeeper shall report to the Treasurer(s) and be responsible for daily financial operations of the corporation in support of the Band Programs, provide regular financial status reports to the Board (including the Band Directors), and assist the Treasurers with their duties. The Band Administrative Assistant shall report to the Band Directors and be responsible for assisting the Band Directors with administrative tasks in connection with Band Programs, including but not limited to securing space in CCSD facilities for Band Program events, arranging student travel for academic band and Marching Band programs, helping arrange student transportation for other Band Programs, and attending to such other administrative tasks as may be identified by the Band Directors.

### **ARTICLE VIII: MEETINGS**

**SECTION 1.** The Board of Directors meetings shall be held each month at the principal office on the second Tuesday of the month at 6 p.m or such other time and place agreed upon by a majority of the Board of Directors. Regular meetings of the Corporation membership shall be held at the principal office on the second Tuesday of each month or on alternating months as determined by the Board of Directors. Notice of a temporary change of the Board of Directors or customary meeting time and/or place shall be set by the President.

**SECTION 2.** Special meetings of the Board of Directors, Executive Committee, or regular membership may be called at any time by the President. Notice of the meeting shall be given to the Executive Committee members or the regular membership not less than two days prior to such a meeting, stating the time, purpose and place of the special meeting. The notice requirement may be waived by agreement of a majority of the Executive Committee.

**SECTION 3.** A majority of the members of the Board of Directors, plus as many corporation members as required to constitute ten (10) percent of the organization's membership shall

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constitute a quorum for the transactions of business at regular meetings.

**SECTION 4.** ROBERT'S RULES OF ORDER, NEWLY REVISED, shall govern all meetings when not inconsistent with these by-laws.

### **SECTION 5. ORDER OF BUSINESS**

Call to order

Reading of the minutes of the preceding meeting Reports of the Committees

Reports of the Officers Old business

New business

Report of Band Director

Adjournment

**SECTION 6.** There shall be an annual meeting of the Board of Directors and other meetings of the Board of Directors shall be held on the call of the President, or upon the written demand of any two (2) Officers of the Board of Directors.

**SECTION 7.** Fifty-one (51) percent of the Board of Directors shall be necessary to constitute a quorum for the transaction of business at the meetings of the Board of Directors. Where no quorum is present any action, which might properly be taken at a meeting of the Board of Directors, may be taken and shall be valid if approved and signed by the majority of the members of the Board within five (5) days after the date of such meeting.

**SECTION 8.** Meetings of all committees shall be held as necessary for performances of the duties of each committee.

**SECTION 9.** A plurality vote of the members of each committee present at a regularly called meeting shall be sufficient for transaction of business recognizing that all committee actions are subject to review by Officers and Directors.

### **ARTICLE IX: RECALL**

**SECTION 1.** In the event a petition asking for a recall of any officer, and signed by, at least, one-third (1/3) of the membership of the corporation, is delivered to the President, or Vice-President(s), or Secretary, the membership shall be notified of the recall petition prior to the next regular meeting, which is, at least, seven (7) days from the date of such delivery, at which time a secret ballot vote shall be held. If the vote is affirmative by a majority of the members present and voting, the office shall be immediately recalled.

**SECTION 2.** In the event of a recall of the entire slate of officers, the Band Director(s), as ex-officio member of the Board of Directors, shall preside over the election of a new slate of



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officers at the same meeting.

### **ARTICLE X: EQUIPMENT AND UNIFORM OWNERSHIP**

Title to all equipment and uniforms purchased by the organization shall be retained by the organization until such time as the membership may elect to transfer ownership to the Cobb County Board of Education.

### **ARTICLE XI: SPHERE OF ACTIVITY**

**SECTION 1.** For the purpose of definition, Harrison High School shall be defined as “that high school, located at 4500 Due West Road, Kennesaw, GA 30152, which academically supports the area which this school serves and which may from time to time be defined and designated by the Cobb County Board of Education.”

**SECTION 2.** In the event that the school should be closed, or change from an academic curriculum, the term HARRISON HIGH SCHOOL, shall automatically apply to that school, or those schools, which absorb the students which this organization is avowed to support.

**SECTION 3.** In the event of circumstances stated in Section 2 of this Article, equipment and monies on hand shall be apportioned on a band student pro rata basis using a straight line method of depreciation for the purpose of computation of undepreciated value of musical instruments on hand. If such circumstances result in the dissolution of the organization, this asset distribution will be in accord with sections of the USCA Internal Revenue Code relating the non-table transfers of such assets.

**SECTION 4.** Notwithstanding any other provision of these Articles, the corporation shall not carry on any activities not permitted to be carried on by (a) an organization exempt from Federal income tax under Section 501 (1) and 501 (c)(3) of the Internal Revenue Code of 1954, or the corresponding provision of any future United States Revenue Law or (b) a corporation, contribution to which are deductible under Section 170 (c)(2) of the Internal Revenue Code of 1954 or any other corresponding provision of any future United States Internal Revenue Law.

### **ARTICLE XII: MISCELLANEOUS**

**SECTION 1.** An annual financial review shall be performed by a party, not a member of the Board of Directors, but selected by the Board of Directors, and audits shall be conducted as required by law, or authorized by the Board of Directors.

**SECTION 2.** All members shall be requested to keep the Secretary informed as to their latest mailing address, e-mail address, and telephone number(s).

**SECTION 3.** At the meeting closing the fiscal year, the annual financial report of

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accomplishments shall be given by the Treasurer(s).

**SECTION 4.** Standing rules direct the administration of the organization. A standing rule can be added, deleted, or changed by a majority vote at a regular meeting of the membership. A list of the current standing rules will be attached to these by-laws.

**SECTION 5.** The Board shall ensure that no engagements are made by or on behalf of or in the name of the Corporation with any employees, independent contractors or other providers of goods or services who have a conflict of interest with the Corporation without the Board first considering whether there is an actual or potential conflict that would result in the person being engaged from working in the best interests of the Corporation and Band Program. The Board may, in its discretion, approve such engagement after consideration of any conflicts, but such approval may be revoked immediately upon notice to the individual or provider in the event of the Board becoming aware of an actual, unresolvable conflict, and the Corporation shall seek prompt, lawful termination of the engagement.

### **ARTICLE XIII: AMENDMENTS**

**SECTION 1.** After review by the Board of Directors, the By-laws of the organization may be amended or appealed or new By-laws adopted only at a regular meeting by the affirmative vote of two-thirds (2/3) of the members present and voting, and only after notice of proposed action shall have been given at a previous meeting.

**SECTION 2.** Since the By-laws of the organization, if valid, must not be in conflict with Federal, or State Constitutions, State or Federal Laws, any amendment or revisions of these by-laws will be referred for review and approval to legal counsel as required.

Any portion of these by-laws which are, or become, in conflict the applicable laws, or regulations, shall be null and void and shall not affect the validity of the remaining By- laws.

**END OF BY-LAWS**

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### **STANDING RULES**

#### **I. UNIFORM REGULATIONS AND CARE**

#### **II. STUDENT FEES AND FUNDRAISING REQUIREMENTS**

a. Each family that has a student(s) in the band program has a responsibility for fundraising. "Fundraising credits" will be used to 1) Meet individual fundraising obligations, 2) Pay against any outstanding balances, or 3) Apply towards future fees. The Treasurer will be responsible for crediting balances on a monthly basis.

#### **III. TREASURY GUIDELINES**

a. Normal business guidelines will be followed in that a fee will be assessed on all NSF checks. After two NSF check occurrences, future payments may be required to be paid by certified funds for the remainder of the school year.

b. When a payment is received all outstanding student debts are cleared first.

c. The Treasurer(s) will issue statements on a monthly basis to those members who owe monies to the band program.

d. Hardships - the Treasurer(s) will present to the board known cases of hardship for a decision based on current hardship policy.

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### Revision History

Revision #	Date	Created by / Title	Comment
Original	Unknown	Unknown	Original document missing. Only selected pages were gathered from previous board members.
2	Nov-19-2002	Kent Sterrett / Co-President	Complete & major re-write of by-laws to re-establish purpose and membership of HHBB. Voted and approved by general membership during regular meeting held at HHS band room on Dec-03-2002.
2a	Apr-06-2004	Kent Sterrett / Co-President	Updated Article I, Section IV. Clarify definition of “membership” so as to prevent increasing membership numbers from exceeding previous limit of 15. Voted and approved by general membership during regular meeting held at HHS band room on Apr-13-04.

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3	Feb-08-2008	Lisa Brennan / Co-President	<p>Major re-write and update to reflect current operations to the following:</p> <ul style="list-style-type: none"> <li>• Article V, Section 1 – redefine officers</li> <li>• Article V, Section 3 – changed election month to March and start month to June</li> <li>• Article VII – Modified title with the addition of “ ... And Division of Responsibilities”</li> <li>• Article VII, Section 2 – clarified board members with “Director” title to be ex-officio members of the Executive Committee.</li> <li>• Article VII, Sections 3-7 – removed all references to “committees” and updated with “Director” titles; clarified and re-organized responsibilities.</li> </ul>
4	July 20, 2009	Ed Labra / Co-President	<p>Update to:</p> <ul style="list-style-type: none"> <li>• Article VI, Section 5 - Add</li> </ul>
			<p>designee of the President that is a voting member of the Board as check signer</p> <ul style="list-style-type: none"> <li>• Article VI, Section 5 – Add: The Treasure ... shall <b>oversee the deposit of said...</b></li> <li>• Article VII, Section 3 – Change Taste to Cobb Food &amp; Arts</li> <li>• Article VIII, Section 1 – Add verbiage to allow booster meetings to be on alternating months or monthly as deemed by the board of directors.</li> </ul>

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			<ul style="list-style-type: none"> <li>● Standing Rule 3: remove cash as acceptable method of payment</li> <li>● Standing Rule 3: modify part a. to say “After two NSF check occurrences, future payments may be required to be paid by certified funds for the remainder of the school year” to the end of the last sentence.</li> </ul>
5	June 9, 2015	Brook Smith/Co-President	Standing Rule II: Removed “Bucks”. Added “Fundraising Credits” and described the fees and fundraising requirements.
6	June 2017	Janice Spear/Brian Gaukel – Co Presidents	Article VI Section 5 added Paypal as an acceptable form of payment for brand payments.
7	May 2018	Janice Spear/Brian Gaukel – Co Presidents	Article VIII Section 1 change Band Booster Meeting time from 6 pm to 6:30 pm Updated Booster organization chart
8	March 2025	Mark Conklin/Richard White – Co-Presidents	<ol style="list-style-type: none"> <li>1. Definition of Band Program added;</li> <li>2. Removed language implying students are members of the corporation;</li> <li>3. Re-organization of corporation BoD directors and officers to 10 total officers, no</li> </ol>

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			<p>Director roles;</p> <p>4. Provisions to account for flexible term commencement and end at Spring Banquet and for early departures by some directors;</p> <p>5. Formally added Nominating Committee under Secretary;</p> <p>6. Added provision for engaging Bookkeeper and Admin Asst as independent contractors;</p> <p>7. Added requirement to prepare a capital expenditure plan to include in budget</p>
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[Org Chart – Deleted – to be published separately]