

SHS Viking Band Booster Club
EIN: 20-5994749

Spartanburg High School
Spartanburg, SC

Bylaws

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Article 1: Name

The name of this corporation shall be "SHS Viking Band Booster Club", herein known as "Boosters".

Article 2: Purpose

1. The purpose of the Boosters shall be:
 - a. To function as a non-profit corporation organized exclusively for charitable and educational purposes, as exempt organizations described under Section 501(c)(3) of the Internal Revenue Code, or corresponding section of any future federal tax code.
 - b. To assist the SHS Viking Band, herein known as "Band", an activity offered by Spartanburg High School, a public school within Spartanburg County School District Seven (SD7), through volunteer events, raising of funds, use of time and means to aid students, staff, and faculty in promoting activities of the Band. Band refers to all band and guard activities.
2. It is recognized that the selection of Band personnel, as well as the directors of all activities of the school, must come from members of the professional staff who are charged with that responsibility under the authority of the Board of Trustees of the School District.
3. No part of the net earnings of the Boosters shall be used for the benefit of, or be distributable to its members, except that the corporation shall be authorized and empowered to pay reasonable compensation for services rendered and make payments and distributions in furtherance of the purpose consistent with these Articles.

Article 3: Policies

1. All policies of the Boosters shall be developed through the Executive Board.
2. The Boosters year will operate from May 1st to April 30th.
3. No member of the Executive Board shall receive any compensation for his/her service as a board member.
4. Any monetary or physical donations made to the Boosters remains the sole property of the Boosters until dispersed by the Executive Board. No gifts or donations may be made to an individual.
5. In the event that the Boosters dissolve, after payment of all outstanding debts, all monies and properties will be disbursed at the direction of the Executive Board with assets paid to either the Band or an authorized 501(c)(3) organization.
6. All Boosters members must comply with all current laws, policies, and procedures. This is inclusive of all local, State, and Federal laws and mandates, as well as those set forth by the Administration of SD7.

7. All Boosters volunteering must annually complete the SD7 Volunteer Form prior to participating in activities. It is the policy of SD7 to conduct background checks for volunteers performing in certain capacities.

Article 4: Membership

1. All parents and/or guardians of current Band students will automatically become members of the Boosters.

Article 5: Elections

1. The Executive Board shall appoint a Nominating Committee at the March meeting. The Nominating Committee will consist of an out-going officer and two Boosters members. The committee will present board nominations at the Boosters general meeting in April to be voted at that meeting. Nominations may also be made from the floor, but will be accepted only with the consent of the nominee.
2. Voting shall be conducted by ballot. Officers shall be elected based on the individuals receiving the most number of votes.
3. New officers will be introduced and assume responsibilities at the April meeting during which voting occurs. May/June will be transition time with outgoing officers assisting new officers.

Article 6: Officers

1. Officers shall be members duly elected to the Executive Board. Each officer shall have the authority and shall perform the duties set forth in these Bylaws or by resolution of the board.
2. The officers of the Boosters shall consist of a President, Vice President, Secretary, and Treasurers (2), and Director of Bands. The band director will serve in an advisory non-voting role.
 - a. The President shall preside at all general meetings and meetings of the Executive Board. The President shall also appoint standing and special committees.
 - b. The Vice President shall assist the President and shall perform the duties of the president in the absence of that officer, and assume responsibilities delegated by the President or Executive Board. The Vice President shall maintain current bylaws.
 - c. The Secretary shall prepare and maintain on file a record of the minutes of all general meetings and Executive Board meetings of the Boosters, as well as monthly financial reports and committee reports. In addition, the secretary will handle all correspondence and records, as well as current roster to include names, addresses, emails addresses, and phone numbers.
 - d. The position of Treasurer shall consist of two individuals. They shall receive all funds of the Boosters, maintain an accurate record of all receipts and expenditures, and make payments as directed by the Executive Board. A checking account shall be maintained.

The treasurers will prepare a monthly report of all financial transactions along with a bank statement to present at each general and at Executive Board meetings.

- i. The Treasurers shall prepare a final detailed financial statement at the close of the Boosters year, but no later than June 30th of each year.
 - ii. The Treasurers shall be responsible for timely compliance with the appropriate State and Federal tax laws. This will include preparing and filing required forms. Use of a tax professional for State and Federal tax documents is recommended. Copies of all financial and tax related documents shall be provided to the Executive Board. Information will be presented at the following Boosters meeting.
3. The Executive Board can bring forth a motion to remove an Officer or Chairperson for failure to fulfill the duties of his/her position, or for behaving in an irresponsible or negligent manner that is deemed damaging to the organization and Band programs. The person being recommended for removal must be contacted and given the opportunity to explain his/her actions in person to the Executive Board. After discussing the matter with the officer or chairperson in question, a two-thirds majority vote of the Executive Board is required to move forward with the formal motion for removal. The motion will be presented at the next regular Boosters meeting and voted on by membership.
 4. Any officer may resign at any time by giving written notice to the Executive Board. The effective date of a notice of resignation shall be the date of the receipt or any later date as specified therein.
 5. A vacancy in any elected office may be filled by an appointment of a majority of the Executive Board. An officer appointed to a vacancy shall serve the remainder of the term of the officer that he/she is replacing.
 6. Officers will serve one-year terms and may be reinstated by the Executive Board for a second term. No officer shall serve more than 2 consecutive terms in the same position, but s/he can serve in another position on the Executive Board. There is one exception: if no one else is willing to serve in that position and the Executive Board unanimously votes to allow one additional year for a total of 3 years.

Article 7: Executive Board

1. The Executive Board shall consist of the officers identified in Article 6 as well as committee chairpersons from committees identified in Article 8
2. The Executive Board shall propose an annual budget, which shall be prepared by the treasurers. The proposed budget will be dispersed via email and/or the designated electronic location at least 7 days prior to the vote for questions or comments. The Executive Board will vote on the annual budget in the July Executive Board meeting. The Boosters will discuss and ratify the budget at the regular September meeting. The treasurer will disperse all funds within the budget with the approval of the Executive Board.

Article 8: Committees

1. The Executive Board shall appoint chairpersons for the following committees:

- a. **Fundraising** - committee will prepare a suggested fundraising program based on projected expenditures and submit to the Executive Board for approval.
 - b. **Food** - committee will be responsible for arranging for food during camp, prior to home games, during competition, and other times as needed.
 - c. **Uniforms** - committee will be responsible for maintaining uniforms. This will include ensuring that uniforms are cleaned yearly, as well as any necessary mending as needed. When new uniforms are purchased, a special committee may be appointed by the Executive Board.
 - d. **Pit Crew** - committee will ensure that necessary help is present to move pit equipment and props to, on, and off field for home games and competitions. The Pit Crew will also assist with loading and unloading equipment. The band director will remain in charge of prop development and may call upon the pit crew to assist in building props.
 - e. **Guard** - committee will help maintain all guard specific activities - equipment, flags, uniforms and guard room, as well as ensure students are fed as needed for long practice days and trips.
 - f. **Performances** - committee will provide support activities related to concerts, community events and performances (on or off campus) including but not limited to, offering ushers, receptions, photography, video, etc.
2. The chairperson of each committee shall be responsible/required to keep all records and minutes of all meetings and activities of his/her committee and be prepared to present an update to the Boosters as requested by the Executive Board.
 3. Committees for special purposes may be appointed by the Executive Board.

Article 9: Meetings

1. There shall be a Boosters meeting scheduled regularly. The meetings dates and times shall be decided upon by the Executive Board at the beginning of each school year.
2. A Boosters meeting agenda, including items to be voted upon, will be communicated to Boosters 7 days prior to the general meeting. Communication will be made via email to the address provided by each Boosters member.
3. In order to proceed with a general meeting of the Boosters in which voting will occur, a quorum of 20 members shall be present.
4. Executive Board Meetings shall be scheduled regularly. The meeting dates and times shall be decided upon by the Executive Board at the beginning of each school year. Members are expected to attend regularly.
5. An Executive Board meeting agenda, including items to be voted upon, shall be communicated to Executive Board members 7 days prior to the Executive Board meeting. Communications shall be made via email provided by Executive Board members.

6. The President of the Executive Board may call special meetings of the Boosters with 3 days notice. Only the item(s) of business that are included in the notice of the special meeting shall be discussed in the meeting.

Article 10: Expenditures

1. Persons who have checks returned for insufficient funds shall reimburse Boosters for bank fees.
2. There shall be no monetary expenditures outside the approved budget without the prior approval of the Executive Board
3. All requests for reimbursements of money spent on band activities must have prior approval by the Executive Board and must be presented within 15 days after the expenses shall be incurred. A receipt must accompany any request for reimbursement.
4. All expenditures must be directly associated to activities of the Band programs.

Article 11: Contracts

1. The Executive Board shall be the sole authority over legally binding contracts and agreements between the Boosters and any individual business, organization, or government entity. The Executive Board shall designate signatory authority to the President or in his/her absence another appointed executive board member.

Article 12: Severability

1. Any item not specifically covered in these Bylaws shall be presented to the Executive Board for resolution.
2. If any section or portion thereof of these Bylaws is found to be invalid or unenforceable, such determination shall not affect the enforceability of all other sections which shall remain in full force and effect.

Article 13: Records

1. Boosters shall keep permanent records, available for review or copying to the school, state, and/or federal entity upon written request to Executive Board, including but limited to:
 - a. Minutes - of all general meetings, special meetings, and Executive Board meetings, as well as a record of all actions taken by committees.
 - b. Financial records - including books, checks, vouchers, receipts, account information, and monthly/annual reports prepared by Treasurers.
 - c. Reports filed to state and federal entities
 - d. Articles of Incorporation
 - e. Bylaws to include past and amended bylaws

2. All records will be stored by year to allow for easy access to information when needed.
3. A list of current membership shall be maintained and must be available at all meetings whether it be a general meeting, special meeting, or Executive Board meeting.

Article 14: Amendments

1. Bylaws shall carry over from one Booster year to the next (May 1st to April 30th) for operational purposes. They may be revised annually.
2. Proposed amendments to bylaws must be submitted to the executive board by March 1st. Proposed changes will be emailed to all members at least seven days prior to the April Booster meeting and they are listed on the agenda for the meeting at which they are proposed to be adopted. Proposed changes must be approved by two-thirds majority of the voting members present at the April meeting.
3. If any unforeseen concerns with bylaws arise at any point, they shall be reviewed by the executive board on a case by case basis.

Amended June 19, 2019 and October 30, 2019.