

Saddleback Valley Unified School District
El Toro High School Instrumental Music and Pageantry Boosters

BYLAWS

ARTICLE I: NAME

This organizational name shall be "El Toro High School Instrumental Music and Pageantry Boosters" ("ETHS IMPB"), doing business as ("DBA") "El Toro High School Music Boosters" ~~"El Toro High School Band Boosters", "El Toro High School Color Guard Boosters", and "El Toro High School Orchestra Boosters"~~, hereinafter referred to as "Boosters."

ARTICLE II: PURPOSE

The purpose of the Boosters shall be to promote interest in and support of El Toro High School Instrumental Music and Color Guard programs.

ARTICLE III: MEMBERSHIP AND DUES

Section 1: General Membership in the Boosters organization shall be open to the parent(s) or legal guardians of each student in the instrumental music and color guard program(s). Members in good standing shall be entitled to voting rights (subject to Article X), and the right to hold office (subject to Article VII). Membership in the Boosters is revoked if the represented student leaves or is dismissed from the instrumental music or color guard programs with the exception of the special circumstances related to Executive Board members addressed in Article VII.

Section 2: All members of the ETHS Instrumental Music Department Faculty are considered advisors to the Boosters. Advisors shall see that the Boosters' activities are conducted in accordance with Saddleback Valley Unified School District policies and shall encourage all members, parents, alumni, and faculty to support the Boosters by their attendance at meetings and program events. The advisors may recommend desirable projects and activities to be pursued by the Boosters. These advisors are non-voting members.

ARTICLE IV: ORGANIZATION

The Boosters are organized for non-profit purposes and the individual members will not derive profit there from. Fundraising activities shall comply with applicable laws, school rules and the Saddleback Valley Unified School District (“SVUSD”) guidelines. The Boosters do not contemplate pecuniary gain or profit for its members and are organized for non-profit purposes. All monies raised, in-kind contributions, and donations shall be for the exclusive use of the Boosters for the support of the ETHS Instrumental Music and Color Guard programs. The Boosters shall operate in accordance with Sections 501(c) (3) and 509 (a) (2) of the Internal Revenue Code (“IRC”).

ARTICLE V: POLITICAL NON-AFFILIATION

No part of the activities of the Boosters shall consist of political propaganda or otherwise attempting to influence legislation, and the organization shall not participate or intervene in any local campaign (including the publishing or distribution of statements) on behalf of any candidate for public office (in accordance with the IRC).

ARTICLE VI: ASSETS

Section 1: The Boosters are irrevocably dedicated to charitable purposes as stated in Article IV.

Section 2: Upon the dissolution of the Boosters, provision for payment of all debts and liabilities, all remaining assets shall be distributed to a non-profit fund, foundation or corporation. The fund, foundation, or corporation shall be dedicated to music appreciation and/or the music education of youth, and shall be organized and operated exclusively for charitable purposes, and shall have established its tax exempt status under the IRC.

ARTICLE VII: EXECUTIVE BOARD MEMBERSHIP

The Executive Board of the Boosters shall consist of the following officers who will be elected annually, and who must have a student enrolled at El Toro High School who is active in the instrumental music or color guard program at the time of their election:

- one President,
- one Vice-President of Administration,
- one Vice President of Operations,
- one Recording Secretary,
- one Treasurer,
- one Ways and Means Officer,

- one Webmaster,
- one Public Relations Officer,
- one Marching Band Liaison,
- one Concert Band Liaison,
- one Color Guard Liaison,
- one Jazz Band Liaison,
- one Orchestra Liaison,
- one Winter Percussion Liaison

Each position may be held by one person, and shall be entitled to one vote in Executive Board decisions. The General Membership may approve a one-year split to any Executive Board position. Approval of the split position shall follow the requirements in Article X. To ensure the continuity of the Board, should a student leave the program but remain at El Toro High School during a board member's term, that member may opt to complete his or her term with the approval of, and at the continued discretion of, the Director and at least a majority of the Executive Board.

ARTICLE VIII: EXECUTIVE BOARD DUTIES

Section 1: The Executive Board shall consider suggestions, study advisability of projects, and activities offered for the benefit of the organization, and make recommendations to the membership accordingly.

Section 2: It shall be the duty of the Executive Board officers to attend all Executive Board and General Membership meetings. If an officer is unable to attend, he/she shall notify the President prior to the start of the meeting and should provide a signed proxy to another Executive board member. The secretary shall retain signed proxies as part of the meeting minutes.

Section 3: The Executive Board shall appoint committed chairpersons as soon as possible after elections.

Section 4: The Executive Board is responsible for the financial management of the Boosters. The Executive Board is responsible for preparing a projected annual budget to be presented to the General Membership for vote approval no later than the first meeting of each school year (as provided for in Article XIII). If the membership does not approve the budget as presented, then a committee of volunteer members will be formed to work with the Executive Board to have it revised. The budget shall be resubmitted to the General Membership for vote approval at the next regularly scheduled monthly meeting.

Section 5: The Executive Board is responsible for compliance with the IRC in order to maintain the Organization's non-profit status. It shall be the duty of the Executive Board to ensure compliance with the Saddleback Valley Unified School District Booster guidelines, ETHS rules and state/federal statutes.

Section 6: Executive Board members who are authorized signers for the association's financial accounts may not be related by blood or marriage, nor reside in the same household.

Section 6 7: The duties of the elected officers shall include:

PRESIDENT: The President is the Chief Executive Officer of the organization and is responsible for all its actions. The President provides the day-to-day liaison between the Boosters, the Director(s), the staff, and the ETHS Administration. The President shall preside at all General Membership and Executive Board meetings. The President shall be one of four authorized signatories for the purpose of disbursements (in accordance with Article XIV).

VICE PRESIDENTS: The Vice Presidents are the principal assistants to the President in the administration of the various projects and activities of the organization. Both Vice Presidents shall assist the President in planning the agenda for the monthly General Membership meetings. In addition:

- The VICE PRESIDENT OF ADMINISTRATION shall be assigned the responsibility of communication with and coordinating the activities of the following committees: Historian, Insurance, Parliamentarian, Travel Management, Hospitality, Website, and Uniform Management. In the absence of the President, the Vice President of Administration shall act on behalf of and perform the duties of the President. The Vice President of Administration shall be one of the four authorized signatories for the purpose of disbursement (in accordance with Article XIV).
- The VICE PRESIDENT OF OPERATIONS shall be assigned the responsibility of communication with and coordinating the activities of the following committees: Field Crew, First Aid, Food, and transportation of equipment. The Vice President of Operations shall also compile, maintain, and provide a complete and current written inventory and repair record of all property owned or leased by the Boosters including vehicles, equipment, clothing, and supplies. In the absence of both the President and the Vice President of Administration, the Vice President of Operations shall act on behalf of and perform the duties of the President. The Vice President of Operations shall be one of four authorized signatories for the purpose of disbursements (in accordance with Article XIV).

The RECORDING SECRETARY shall compile, maintain and provide complete written records of all official acts of the organization. The Recording Secretary shall take complete minutes and attendance at all Executive Board meetings including the names of the consenting officers in any vote, and shall take complete minutes of all General Membership meetings; he/she shall make the minutes available as requested by the Executive Board. He/she shall keep the ballots of the annual election (as provided for in Article X) in a sealed envelope for a period of one year. He/she shall archive all Booster documents and records, ~~and shall be responsible for all electronic communications with the General Membership, with approval of the President or Director. Members of the Executive Board may also prepare and send electronic communications to the General Membership once they have the approval of the Board President or the Director.~~ The Recording Secretary shall maintain a membership roster that includes contact information of members. This information shall be used solely for Boosters business and will not be used for any other purpose without a signed individual release.

The WEBMASTER shall be responsible for maintaining and updating, as necessary, the ETIMPB website (www.eltoromusic.org) including keeping photos, calendars and documents current and available. He/she will work closely with the Executive Board to maintain and promote the Instrumental Music and Pageantry Boosters brand and create awareness of performances and fundraising activities via the website.

The PUBLIC RELATIONS OFFICER shall be responsible for ~~all electronic communications with the General Membership, with approval of the Board President or Director. Members of the Executive Board may prepare and send electronic communications for the General Membership (or subgroup) via the Public Relations Officer. He/she will work closely with the Executive Board to maintain and promote the Instrumental Music and Pageantry Boosters brand and create awareness of performances and fundraising activities via IMPB social media accounts (such as Facebook, Twitter, etc)~~

~~He/she is also responsible for written correspondence necessary to the Boosters functions, including business correspondence, thank you letters, donation requests, and written acknowledgement of business donations. One of the primary duties of the Public Relations officer shall be to stimulate community interest in the ETHS instrumental music and color guard program. The Public Relations Officer is responsible for alerting~~ supplying news items and photographer to the news media in order to generate positive publicity about the ETHS instrumental music and color guard

program. He/she will also obtain and secure proper authorization for use of likeness of any student to be used in any Boosters publication, website or press release.

The TREASURER has the primary responsibility for keeping the accounts of the Boosters in an accurate manner. The Treasurer shall receive all monies and deposit same in the name of ETHS IMPB or DBAs in a bank approved by the Executive Board. The Treasurer shall pay out sums for the Boosters and shall be one of the four authorized signatories for the purpose of disbursements (in accordance with Article XIV). He/she shall present a statement of account at every meeting of the Executive Board and General Membership, and shall make a full annual report to the General Membership. The Treasurer shall keep such permanent books of account and records sufficient to establish the items of gross income, receipts, and disbursements. The Treasurer shall also be responsible for timely annual filing of all Federal and State forms including but not limited to Federal Form 990 and California Form 199 as necessary to avoid penalties and to maintain IRC 501 (c) (3) and 509 (a) (2) non-profit status. **If desired by the Treasurer and approved by the Executive Board, a qualified firm or person outside the organization may be hired to complete and submit necessary Federal and State tax documents.** The Treasurer will retain copies of all forms for the current year plus six prior years. These forms will be forwarded to the subsequent Treasurer.

The WAYS AND MEANS OFFICER shall organize and supervise fund raising projects subject to the approval of the Executive Board. Sub-committee chairpersons may be assigned, with the approval of the Executive Board, to manage specific fundraising activities. He/she shall also coordinate a master calendar of individual performing groups' fund-raising projects. The Ways and Means Officer will also be responsible for documentation of all fundraising events, to determine which events were profitable. This data will be used for future fundraising efforts.

GROUP LIAISONS are responsible for communication and representation for their respective groups. **Group Liaisons are not authorized to make decisions regarding budgets or fundraisers for their respective groups without the approval of the Executive Board. All decisions regarding finances for each sub-group (including approval of proposed budgets and expenditures) must be made by vote by the Executive Board at a regular IMPB meeting.**

- **The MARCHING BAND LIAISON shall be responsible for communicating IMPB/class information to students and families and representing the Royal Blue Regiment at IMPB meetings, specifically during the marching season of July –**

November. He/she shall work closely with the Color Guard Liaison during this period, and shall work with the IMPB Board, Webmaster and Public Relations Officer to share information about the program with Marching Band students and families.

- The CONCERT BAND LIAISON shall be shall be responsible for communicating IMPB/class information to students and families and representing the concert band classes at IMPB meetings, especially during the Spring Festival Season. He/she shall work with the IMPB Board, Webmaster and Public Relations Officer to share information about the program with all concert wind instrument and band students and families.
- ~~responsible for communication and representation for all concert wind instrument and band groups, especially during the Spring Festival Season.~~
- The COLOR GUARD LIAISON ~~shall be responsible for communication and representation for all color guard groups, and shall work closely with the Marching Band Liaison during the Fall.~~ shall be responsible for communicating IMPB/class information to students and families and representing the Color Guard at IMPB meetings. He/she shall work closely with the Marching Band Liaison during the marching season (July – November), and shall work with the IMPB Board, Webmaster and Public Relations Officer to share information about the program with Marching Band students and families. It is suggested that he/she form a parent Winter Guard Committee to assist with planning and implementing the program during the Winter Guard season (November – April).
- The ORCHESTRA LIAISON shall be responsible for communication and representation of all string instrument orchestra groups. shall be responsible for communicating IMPB/class information to students and families and representing the orchestra classes at IMPB meetings, especially during the Spring Festival Season. He/she shall work with the IMPB Board, Webmaster and Public Relations Officer to share information about the program with all orchestra students and families.
- The JAZZ BAND LIAISON shall be responsible for communicating IMPB/class information to students and families and representing the jazz band class at IMPB meetings. He/she shall work with the IMPB Board, Webmaster and Public

Relations Officer to share information about the program with all jazz band students and families.

- The WINTER PERCUSSION LIAISON shall be responsible for communication and representation for the winter percussion group. shall be responsible for communicating IMPB/class information to students and families and representing the Winter Percussion program at IMPB meetings, specifically during the winter percussion season (November - April), and shall work with the IMPB Board, Webmaster and Public Relations Officer to share information about the program with Winter Percussion students and families. It is suggested that he/she form a parent Winter Percussion Committee to assist with planning and implementing the program.

ARTICLE IX: COMMITTEES

The duties of the appointed chairpersons shall be as directed by the Executive Board, and may include:

- The HISTORIAN shall maintain a collection of photographs, concert and performance programs newspaper clippings, and other media communications pertaining to all performances and events. He/she shall share the material with VP Admin, Public Relations Liaison, Webmaster and other Board members to facilitate promotion of the El Toro Instrumental Music and Pageantry program.
- The PARLIAMENTARIAN shall act as an advisor to the President in all matters of parliamentary procedure and shall be well versed on these Bylaws and Robert's Rules of Order. The Parliamentarian should attend all Executive Board and General Membership meetings. He/she shall serve as Chairman of the Bylaws Revision Committee and prepare any proposed bylaw revisions for presentation to the General Membership in accordance with Article XVIII. He/she shall prepare nomination forms for the use of the nominating committee, present the slate of officers at the April General Membership meeting, and conduct election procedures in accordance with Articles X and XII.
- The UNIFORM MANAGER shall coordinate with a team of parents the fitting, issuing, maintenance and inventory control of all Marching Band uniforms. He/she shall work directly with the Director regarding the appearance of students and shall be responsible for maintaining and/or repairing Marching Band uniforms.

- The FIELD CREW shall organize a crew for all off-site field performances and field rehearsals as requested by the Director. They shall be responsible for loading and unloading instruments, props, equipment, uniforms, and for transporting pit instruments and auxiliary props between the vehicles and the field. In the event that defective equipment is noticed, the Vice President of Operations shall be notified immediately.
- The FIRST AID volunteer(s) shall coordinate the availability of First Aid to assist the students at off-site activities, which require physical exertion, such as rehearsals, competitions and parades. **He/she/they should be certified by the American Red Cross or equivalent to provide CPR and first aid. He/she/they** shall be responsible for the equipping of a first aid kit, include current records of the present insurance company, "Authority to Treat a minor" forms for all participants, and for transporting and dispensing a student's prescription(s) (in accordance with Saddleback Valley Unified School District regulations).
- The ~~FOOD~~ **HOSPITALITY** volunteer(s) shall coordinate food for the students while in competition. **He/she/they will also coordinate bake-sales during the year, and work to plan food for special events.**
- ~~The HOSPITALITY volunteer(s) shall coordinate all bake-sales during the year. He/she shall coordinate the food for special events as well as the Awards Banquet at the end of the year. The Website Administrator shall be responsible for maintaining the ETHS instrumental music and color guard website.~~
- SPECIAL COMMITTEES may be established by the Executive Board with a specific duration and purpose and shall be assigned to Executive Board Members as applicable.

ARTICLE X: ELECTIONS

Section 1: The Nominating Committee for the following year's slate of officers shall consist of the Parliamentarian plus four members who shall volunteer at the March General Membership meeting; the committee shall elect their own chairperson. The President is prohibited from serving on the Nominating Committee. The Nominating Committee shall notify the General Membership of the opening of nominations for the Executive Board within seven calendar days after the March meeting (using the most current Membership Roster). The proposed slate can have more than one candidate per

office. An individual may run for multiple offices, but may serve in only one office. The notice of elections and list of candidates and positions shall be disseminated to the General Membership at least 48 hours prior to the April meeting. Lack of sufficient notification shall not constitute reason for postponing the election, provided that a good-faith effort to notify the General Membership has been made. The Parliamentarian will present the Nominating Committee's list of candidates at the April General Membership meeting each year, at which time additional nominations will be accepted from the floor. All nominees should give a brief oral presentation of their qualifications. The vote shall be conducted during the April meeting by written ballot; quorum shall be the members in attendance and a simple majority of quorum shall determine election. Only those members in good standing (as stated in Article III, Section 1) shall be given the opportunity to vote. Only one vote per student enrolled in any one of the aforementioned programs shall be allowed. Proxy voting shall not be allowed.

Section 2: The term of office for officers shall extend through June 30 of each calendar year. Each incoming officer shall act in an advisory capacity from May 1 through June 30 and attend all Board and General Membership meetings. Each outgoing officer shall be responsible for the transfer of all records, books and any other materials pertaining to the office to their successor by June 30 of each calendar year. All funds, monetary instruments and responsibilities pertaining to the office of the Treasurer will also be transferred to the incoming treasurer by June 30 of each calendar year. The outgoing Treasurer will act in an advisory capacity after June 30 until the previous year's books are closed. No office shall be held for more than a period of two elected years. An officer who has already served a term of four years in any combination on the Executive Board (e.g., Treasurer for one year, Ways and Means for one year, and President for two years) must step down from the Executive Board for one full year prior to accepting another position on the Executive Board.

ARTICLE XI: REMOVAL OF OFFICERS AND MEMBERS

Section 1: If 33% of the members of the Boosters present to the Executive Board a signed statement that any officer or member is perceived to be unable to fulfill the responsibilities of the office or has breached the trust or otherwise acted to the detriment of the welfare of the organization, then the Executive Board shall be required to hold a vote of the General Membership at the next regularly scheduled monthly meeting (as provided for in Article XIII), by secret ballot, to determine if said officer shall be removed from office or member removed from membership.

Section 2: The concerned officer or member shall be notified of the charges a minimum two weeks prior to said meeting, shall have the right to rebuttal at said meeting, and to

present such testimony as he/she may wish. The General Membership shall be notified a minimum one week prior to said meeting, that a vote regarding the removal of an officer or member shall be conducted.

Section 3: An assenting vote of two-thirds of the total membership shall be required for removal. If at least two-thirds of the total membership is not present, then the General Membership shall be notified that the vote will be postponed until the next regularly scheduled monthly meeting, at which time quorum shall be the members in attendance, an assenting vote of two-thirds of quorum shall be required for removal. The decision of the membership shall be final.

Section 4: In the event of removal, the officer or member removed shall immediately cease to function in their office or position, and shall immediately surrender to the Executive Board all records, property and funds of the organization. The office shall be deemed vacant and subject to the provisions of Article XII.

ARTICLE XII: VACANCY OF OFFICE

Section 1: The elected Vice President of Administration shall fill a vacancy in the office of the President for the remainder of the term. If both offices of the President and Vice President of Administration are vacant, then the elected Vice President of Operations shall fill the office of President.

Section 2: If a vacancy occurs in an office other than President, the General Membership shall be notified that a vote shall be taken at the next regularly scheduled monthly meeting (as provided for in Article XIII). The vote shall be conducted by written ballot; quorum shall be the members in attendance, and a simple majority of quorum shall determine the election.

Section 3: Each outgoing officer shall be responsible for the immediate transfer to their successor or to the Executive Board all records, books and any other materials pertaining to the office, and shall immediately return to the Treasurer all funds pertaining to the office.

ARTICLE XIII: MEETINGS

Section 1: The Executive Board shall meet once each month. These meetings will be a combination General Membership and Executive Board meeting. If need be, the Executive Board will move to a closed session and then reconvene to an open meeting. The Executive Board will determine time and place of meetings. If so desired, an Executive Board and General Membership meeting may be cancelled for the months of July and December. Additional meetings may be called, as required, by the Executive Board.

Section 2: Unless otherwise specified in the Bylaws, the members in attendance at any General Membership meeting shall constitute a quorum, and a simple majority of quorum shall determine a vote. Two-thirds of the total Executive Board officers shall constitute a quorum at any Executive Board meeting, and a simple majority of the total officers shall determine a vote. Voting by signed proxy shall be allowed for Executive Board meetings; signed proxies count toward quorum in these meetings. Proxy voting is disallowed at General Membership meetings.

Section 3: All meetings of the Executive Board shall be open to the Director(s), any Committee chairperson, any incoming Executive Board officer and the General Membership; however, any meeting or portion of a meeting may be ruled closed by the President if the disclosure of any item may be considered detrimental to the welfare of the organization, any student, or any member. The regular meeting will be reconvened by the President following the closed session.

ARTICLE XIV: DISBURSEMENTS

Section 1: The President, the Vice President of Administration, the Vice President of Operations and the Treasurer shall be authorized to disburse funds of the Boosters; any disbursement shall require the signatures of any two of the four authorized signatories. **Those authorized to disburse funds shall not be related by blood or marriage, nor reside in the same household.** Section 2: A formal meeting of the Executive Board and the assent of the majority of the Executive Board shall be required in advance to commit the Boosters for any expenditure of \$500 or greater. If the expenditure was a previously approved budget item, then the payment may be issued with two signatures from any of the four authorized signatories. During the next closed session of the Executive Board, all payments greater than \$500 will be reviewed by the entire board to ensure compliance.

ARTICLE XV: AUDITS

The Executive Board shall cause to be maintained a full set of books and records showing the financial condition of the affairs of the Boosters in a manner consistent with generally accepted accounting principles. The Executive Board shall be responsible to cause the books and records of the Treasurer to be audited at least once each year. Such books and records must be audited at the time a change is made in the Treasurer position irrespective of any previous audit. An auditing committee appointed by the Executive Board, or a qualified firm or person outside the organization may conduct the audit or review. Both a Federal and State tax return are to be filed at the end of the fiscal year (June 30th) pursuant to the Internal Revenue Service Code.

ARTICLE XVI: RIGHT OF INSPECTION

All books, records and documents of the Boosters shall be made available upon request for inspection by any member, with the exception of any records that deal with the accounts of an individual student or student's family. Records relating to any individual student or student's family will be available to the Executive Board and to the individuals concerned. All books, records, and documents of the organization are the property of the Boosters.

ARTICLE XVII: PARLIAMENTARY AUTHORITY

In all matters of procedure not otherwise covered by the Bylaws, Robert's Rules of Order (version as specified by the Executive Board) shall govern.

ARTICLE XVIII: AMENDING THE BYLAWS

Proposed additions to, or revisions of, the Bylaws must be distributed to the General Membership at least two weeks prior to the next regularly scheduled monthly meeting (as provided for in Article XIII), at which time an assenting vote of two-thirds of the total membership shall be required to change the Bylaws. If at least two-thirds of the total membership is not present, then the General Membership shall be notified that the vote will be postponed until the next regularly scheduled monthly meeting, at which time, quorum shall be the members in attendance; an assenting vote of two-thirds of quorum shall be required to change the Bylaws.

(Signatures below) ADOPTED: November 17, 1981 AMENDED: January 11, 1983
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AMENDED: March 27, 2007 AMENDED: November 20, 2008 AMENDED: November
24, 2009 AMENDED: September 22, 2011 AMENDED: September 11, 2014 AMENDED:
April 10, 2018

Approved

