

*Austin East High School Band Parents and Boosters Association
Constitution and By-Laws*

Austin East High School Band Parents and Boosters Association Constitution and By-Laws Approved by AEBS General Membership on September 19, 2017

ARTICLE I: NAME AND LOCATION

Section 1. Name

The name of this Association shall be the "Austin East Band Boosters Association" hereafter referred to as "AEBS", "Band Boosters" or "the Association."

Section 2. Location

Austin East Band Boosters Association's principle place of business is the Austin East High School Band Room, Knoxville, Tennessee

ARTICLE II: OBJECTIVES AND POLICIES

Section 1. Objectives of the Band BoostersThe objectives of the Association shall be to promote the organization of the Austin East High School band parents who support the Austin East High School band program by providing financial and support resources. AEHS Band program includes the following: Marching Band, Wind Ensemble, Symphonic Band, Concert Band, Jazz Band, Color Guard, and Pep Band and all other entities sponsored by Austin East High School Band Program. These resources are used to assist in providing, but not limited to, musical instruments and spare parts, musical education and related services, uniforms and their maintenance and all competition expenses. AEBS exists to foster music education and supplement services and equipment that are provided by the Knox County Public School System at Austin East High School.

Section 2. Basic Policies

- a. The Band Boosters shall be non-commercial, non-sectarian, and non-partisan.

*Austin East High School Band Parents and Boosters Association
Constitution and By-Laws*

- b. The name of the Band Boosters nor the names of any of its members in their official capacity shall not be used in connection with any commercial concern or with any partisan interest or for any purpose not appropriately related to the promotion of the objectives of the Band Boosters.
- c. The Band Boosters may cooperate with organizations that are concerned with the well-being of youth and/or the promotion of music programs; however, representatives of the Band Boosters shall not make commitments that bind the Band Boosters and outside organizations without the prior approval of the Board.
- d. The Band Boosters shall not engage in any activity that results in the financial gain or direct personal benefit of any of its membership.
- e. The Band Boosters shall not participate in any activity that would not be approved by either the Building Principal, the Superintendent of Schools for the City of Knoxville, or the City of Knox County School Board, should such approval be required.
- f. The Band Boosters is a non-profit organization and as such shall not engage in any activity that would be inconsistent with the status of
 - (a) a charitable, scientific, or educational organization as defined in Section 501 (c)(3) of the Internal Revenue Service (IRS) Code of 1964 (or the corresponding provisions of any future United States Internal Revenue Law) as amended or any successor provisions thereto or,
 - (b) by an organization, contributions to which are deductible under Section 170
 - (c)(2) of the Internal Revenue Code of 1964 (or the corresponding provisions of any future United States Internal Revenue Law).

*Austin East High School Band Parents and Boosters Association
Constitution and By-Laws*

Austin East High School Band Parents and Boosters Association
Constitution and By-Laws

g. Upon dissolution of the Band Boosters, the Board shall, after paying or making provision for the payment of all the liabilities, dispose of all the assets, exclusively to charitable, educational, or scientific purposes as shall at the time qualify as an exempt organization under Section 501 (c)(3) of the IRS code as amended or any successor provision thereto, as the Board shall determine.

ARTICLE III: GOVERNMENT

Section 1. Articles of Organization

- a. The Articles of Organization of the Band Boosters shall be the Constitution and By-laws as approved and amended.
- b. Robert's Rules of Order shall govern the conduct of business in all cases in which they are applicable and are not in conflict with these by-laws.

Section 2. Board of Directors

- a. The governing body of the Band Boosters shall be a Board of Directors; hereafter called "The Board."
- b. The Chairman of the Board is the President of the Band Boosters.
- c. Each member of the Board shall have one (1) vote. A member must be present to vote; absentee or proxy voting is not allowed.
- d. The Executive Board will consist of the President, the First Vice-President, the Recording Secretary, the Treasurer, the Purchasing Officer, and the Band Director.
- e. The Board of Directors shall consist of the duly elected Officers, the

*Austin East High School Band Parents and Boosters Association
Constitution and By-Laws*

Band Director, all committee chairpersons.

Section 3. Nominating Committee -

- a. A Nominating Committee of at least three (3) individuals shall be elected at the February general membership meeting. The committee members must be AEBB members in good standing. The president may not be a member of this committee.
- b. The Committee will select a committee chairperson amongst themselves.
- c. The Nominating Committee shall seek out and qualify one (1) eligible person for each office to be filled. The report of the Nominating Committee shall be presented at the April meeting.
- d. Individuals placed in nomination by the Nominating Committee or from the floor shall be present to indicate their acceptance of the nomination and consent to serve, or written acceptance of their nomination and consent to serve must be presented with the nomination.

Section 4 Officers and their Election -

- a. Each officer must be a member in good standing.
- b. The officers and directors will serve for a term of one (1) year or until their successors are elected or appointed. Officers will assume their duties on May 1 following their election in April.
- c. The Officers will not be eligible to serve more than three (3) consecutive terms in the same office.

Section 5. Election of Officers

- a. Officers will be elected by acclamation if there is only one nominee, or by secret ballot if there is more than one nominee for each office, at the March meeting of the Band Boosters.

*Austin East High School Band Parents and Boosters Association
Constitution and By-Laws*

b. If there is more than one (1) nominee for any office, then each office will be voted on separately with the individual receiving the greatest number of votes for each office being elected to that office.

c. Individuals of the General Membership who are members in good standing may vote in the election of officers. Membership may be verified by a list current AEBB members maintained by the Secretary. Eligible members will be issued a ballot for the election of officers if there is more than one (1) nominee for each office.

Section 6. Compensation

a. No Officer, Director or committee chairperson shall receive compensation for any service he/she may render to the Band Boosters.

b. Officers or Directors may be reimbursed for actual expenses incurred in the performance of their duties with the presentation of sufficient documentation for the expenses. Except in cases of emergency, prior approval shall be obtained for such expenses.

Section 7. Removal of Officers and Chairpersons

a. All requests to consider removal proceedings must be initiated with one (1) or more Officers of the Band Boosters.

b. The Board shall have the authority by two-thirds (2/3) secret ballot of the Board, to remove any Officer, or other member whose conduct or achievement records are not in keeping with the policies or best interest of the Band Boosters. The individual in question will be notified of the time and intent of such action.

c. Any Officer or Chairperson who fails to attend two (2) consecutive regular meetings of the Board without reasonable cause may be suspended pending removal and/or reinstatement proceedings.

d. In the event of death, resignation, or removal of an Officer, his

*Austin East High School Band Parents and Boosters Association
Constitution and By-Laws*

successor shall be selected by the current members of the Board and shall serve for the unexpired term of his predecessor.

Section 8. Duties of the Officers a. The President shall:

1. Preside over all regular and special meetings of the Board of Directors and the General Membership.
2. Perform such other duties as may be prescribed in these By-laws or assigned to him by the Band Boosters.
3. Coordinate the work of the Board of Directors in order that the objectives of the Band Boosters may be promoted.
4. Serve as the Chairperson for all Concession activities.

b. The First Vice-President shall:

1. Preside over all regular and special meetings of the Board of Directors and the General Membership.
2. Perform such other duties as may be prescribed in these By-laws or assigned to him by the Band Boosters.
3. Coordinate the work of the Board of Directors in order that the objectives of the Band Boosters may be promoted.
4. Act as an aide to the President.
5. Perform the duties of the President in the absence or disability of that office and when so serving shall have the powers of and be subject to the restrictions of the Office of the President.
6. Serve as the Ways and Means Chairperson.

*Austin East High School Band Parents and Boosters Association
Constitution and By-Laws*

7. Serve on the Budget Committee.

d. The Recording Secretary shall:

1. Record the minutes of all Board, regular, and special meetings of the Band Boosters.
2. Shall keep available complete copies of the minutes and other committee reports which may be accessed at any board or general meeting.
3. Maintain a current copy of the By-laws and ensure a copy is filed with the Band Director and Building Principal.

e. The Corresponding Secretary shall:

1. Perform the duties of the Recording Secretary in their absence.
2. Notify members of the Board as well as general membership of regular and special meetings.
3. Shall be responsible for AEBB correspondence and maintain a file of incoming correspondence.
4. Shall be chairperson of the membership committee, maintain a current and complete list of AEBB members with their address and phone numbers and have this list available at all board and general membership meetings for voting purposes.

f. The Treasurer shall:

1. Have custody of all funds of the Band Boosters.

*Austin East High School Band Parents and Boosters Association
Constitution and By-Laws*

2. Keep a full and accurate account of receipts and expenditures.
 3. Make disbursements in a timely manner and as authorized and in accordance with the budget as adopted by the Band Boosters.
 4. Ensure disbursements are not made without an adequate documentation of expenses (e.g., copies of bills, cash register receipts, etc.).
 5. Prepare a monthly financial statement and present such financial statements needed at meetings of the Board and the general membership. Prepare and present an annual report at the general membership meeting in April.
 6. Provide a final annual report to the Austin East High School Treasurer.
 7. Be responsible for the maintenance of such books of account and records as conform to the requirements of the Band Boosters.
 8. Surrender the financial records of the Band Boosters to an appointed auditor or audit committee and at the end of each fiscal year.
 9. Shall serve as a member of the budget committee and the ways and means committee.
- G. The Purchasing Officer shall:
1. Perform the duties of the Treasurer their absence.
 2. Will be in charge of ordering goods or securing services to include but not limited to the following; marching shoes, gloves, uniform accessories, spirit wear, show shirts, and buses.

*Austin East High School Band Parents and Boosters Association
Constitution and By-Laws*

3. Supply a minimum of three quotes for all goods or services to be ordered or secured and present those quotes to the board for decision.
4. Maintain and have available a list of all suppliers and service companies with point of contact information and phone numbers.
5. Will ensure all invoices and receipts are promptly given to the Treasurer.
6. All ordering of goods and securing of services are to be done only with the consent of the Executive Board.

Section 9. Committees

- a. Only members in good standing with the AEBB shall be eligible to serve as an appointed committee chairperson or as a committee member.
- b. The power to form special committees and appoint their members rests with the Executive Board. The Executive Board may create such standing and special committees as they may deem necessary and define their responsibilities and duties to promote the objectives and carry on the work of the Band Boosters.
- c. The terms of the committee chairs and committee members shall coincide with those of the elected Officers.
- d. Each committee chair may be requested to present a plan of work to the Board for approval.
- e. The President shall be an ex-officer member of all committees except the Nominating Committee.
- f. At a minimum, the Special Committees shall include Marching Band

*Austin East High School Band Parents and Boosters Association
Constitution and By-Laws*

and Color Guard Pit Crew, Hospitality, Volunteers, Chaperones, and Uniform committees.

Section 9.1. Duties of the Committee Chairpersons

- a. **Ways and Means:** The Chair shall coordinate or oversee all the fund raising projects or other means of financial support that will furnish the income needed to finance the Austin East High School Band program. The Chairperson's duties include purchasing items needed for the fund raising project and recruiting volunteers to work. The Chair is also responsible for procuring start up money from the treasurer, keeping track of profits from each event, turning over the profits to the treasurer, and providing a status report during the executive board and general meetings.
- b. **Volunteers:** The Chair shall maintain a current list of volunteers and assist in providing volunteers for any AEBB activities where needed.
- c. **Head Chaperone:** Chair shall ensure adequate number of adults (which must be current AEBB members) as chaperones for all home and away football games, competitions and where deemed necessary by the band director. Arranges for refreshments at all games/competitions. Transports and distributes plumes at all games and competitions. Is responsible for first aid and emergency supplies at all games and competitions.
- d. **Membership:** Each Chairperson shall actively recruit members from the AEBB general membership, maintain an accurate and up-to-date list of all members, addresses and phone numbers, and have complete list available at all board and general membership meetings.
- e. **Uniforms:** The Chair shall monitor and maintain the marching band

*Austin East High School Band Parents and Boosters Association
Constitution and By-Laws*

uniforms and inventory. This includes coordination, distribution, collection, and maintenance of all uniforms. A Uniform will not be issued to any student who has not paid all band fees due to date unless approved by the band director and Executive Board.

- f. Concessions: The Chair shall coordinate the operation of the concession stands at all home football games, Battle of the Bands, District Band Auditions, indoor concessions before and after school, and any other events in which the Band Boosters may participate or host. Duties may include purchasing items needed to run the concessions, supervising set up and clean up of the concession areas, and recruiting volunteers to work. The Chair is also responsible for procuring start up money from the treasurer, keeping track of profits from each event and turning over the profits to the treasurer as well as giving a status report during the executive board and general meetings.
- g. Pit Crew: This Committee shall coordinate transportation and set-up of equipment at all performances. This includes supervision of construction and maintenance of large equipment used in the production of these events. The Chairperson shall be responsible for procuring and returning of an appropriately sized vehicle and for turning in all receipts for fuel and rental costs to the treasurer within one week following an event.
- h. Auxiliary Committee: The Committee shall coordinate the distribution, maintenance and construction of all Auxiliary-related equipment and uniforms. This person work closely with the Instructors and Pit Crew Chair to ensure all Guard uniform and related equipment is transported to each performance.
- i. Hospitality committee: The Committee is charged with the planning and implementing of all Summer Band Camp activities. The Committee is charged with planning, coordinating and hosting social functions

*Austin East High School Band Parents and Boosters Association
Constitution and By-Laws*

such as receptions and banquets, to include, but not limited to, holiday programs, and awards ceremonies. The committee is also responsible for arrangements for the Summer Band Camp picnic. The Chairperson shall be responsible for procuring start up monies and providing proper receipts.

ARTICLE IV: MEETINGS

Section 1. General Meetings

- a. General Meetings will be held during the months of May through April. AEBB General meeting will be held on the third Tuesday of every month.
- b. Meetings shall be held at the primary location of the Band Boosters unless otherwise changed by the President.
- c. Seven (7) days notice must be provided if there is a change in meeting date and/or place. A quorum is required to change the meeting date and/or place. A simple majority of the Board shall constitute a quorum.
- d. The May meeting will be the meeting at which officers shall be elected.
- e. The May meeting will include the introduction of the new Board Members.

Section 2. Executive Board/Board of Directors Meetings

- a. The Boards will meet monthly from May through April. AEBB Executive Board meetings will generally be held on the first Tuesday of every month; any changes in the AEBB meetings will be approved by the AEBB Executive Board.
- b. Meetings shall be held at the primary location of the Band Boosters unless otherwise changed by the President.

*Austin East High School Band Parents and Boosters Association
Constitution and By-Laws*

- c. Seven(7) days notice must be provided if there is a change in meeting date and/or place.
- d. A quorum is required to change the meeting date and/or place.
- e. A simple majority of the Board shall constitute a quorum.
- f. At all meetings of the Boards, members of the Executive Board and Board of Directors shall have one (1) vote. Each person must be present to vote. No member of the Executive Board or Board of Directors may cast a vote in proxy for another Board member.
- g. The actions approved by a simple majority vote of the Boards present shall be the actions of the Board.
- h. Board of Directors will meet 30 minutes prior to the regularly scheduled general meeting.

Section 3. Special Meetings

Special meetings of the Board may be called by the President or by a simple majority of the Board, three (3) days notice having been given.

ARTICLE V: MEMBERSHIP, BAND FEES AND VOTING PRIVILEGES

Section 1. Membership Dues

- a. General membership in the Band Boosters shall be open to any parent or guardian that has a child participating in the band program at Austin East High School.
- b. General Membership dues shall be set annually by the Executive Board.

Section 1.1. General membership

*Austin East High School Band Parents and Boosters Association
Constitution and By-Laws*

a. General membership eligibility shall include:

1. All parents or guardians who have children in any program supported by Austin East Band Boosters.
2. The Band Director of Austin East High School and his staff.
3. Any administration of Austin East High School.

b. A member in good standing is one (1) who has not been removed from membership by the Board of Directors and whose dues are current for those years in which dues are required. A member in good standing may not have any outstanding debts to the Band Booster organization, including but not limited to, payment and fees for returned checks, unpaid band fees for their child for the current or past years or payments due to the Boosters, Band Director or Band Instructors for instruments or instrument repair.

c. Members of the Band Staff, the Band Director, and any administration are exempt from paying dues and are considered ex-officio members. All ex-officio members are not afforded voting privileges.

Section 1.2. Special Membership

Special membership shall be made available to individuals who do not have children participating in the Austin East High School Band program, but who have expressed an interest in the band program, and who have a desire to support and/or assist in promoting the activities of the band program and the Austin East High School Band Boosters.

Section 2. Voting Privileges

a. The privilege of holding an elected office, making motions and/or voting on Band Boosters" business shall be limited to the general membership of the Band Boosters as defined in Article V, Section 1.1.

*Austin East High School Band Parents and Boosters Association
Constitution and By-Laws*

- b. Voting on routine matters shall be by voice vote; however, at the discretion of the President or a majority vote of the Board, voting may be by a show of hands of the general membership in good standing, such vote being counted and recorded in the minutes of the Band Boosters.
- c. A member must be present to vote; absentee voting is not allowed.
- d. Special members as defined in Article V, Section 1.2, are not allowed to vote on Band Boosters business.

Section 3. Band Fees

- a. All Band Fees will be due and collected as implemented by the Budget Committee. Band fees will be set annually by the Executive Board.
- b. Band fees will cover in full or part, instructor fees, uniform, music and instrument expenses, competition and travel expenses and other items provided for in the annual budget.
- c. Band fees must be paid in full before a student will be allowed recognition for these activities. In individual cases, the band director and Executive Board can approve a special payment plan if this plan is requested. A student covered by such plan will only be allowed to participate in AEHS Band if the terms of the approved plan are kept current.

ARTICLE VI: FINANCIAL POLICY

Section 1. Policies

- a. Check-signing authority shall be given to President, 1st Vice-President, Treasurer, and Band Director.
- b. All checks written from any AEBB account are required to have 2 signatures, no exceptions.

*Austin East High School Band Parents and Boosters Association
Constitution and By-Laws*

- c. Debit Cards may be used by authorized persons only. Authorized persons include designated Executive Board members and Band Director only. Any person allowing an un-authorized use of an AEBB Debit Card assumes financial responsibility for the expense, no exceptions.
- d. Monies raised as a result of fund raising projects by Band Boosters and band students shall be deemed the property of the Austin East High School Band Boosters.
- e. No fund raising event shall be promoted or executed without the prior approval of the Executive Board and Band Director. Approval should be given jointly by the Executive Board and Band Director in writing only before being submitted to Austin East High School.
- f. No student may attend an AEBB sponsored trip if they have any outstanding band fees and/or uniform cost.
- g. Fundraising for trips must be done before the event takes place.
- h. The Executive Board shall be the final authority in deciding all matters pertaining to the finances of the Band Boosters.
- i. All Band Boosters income shall be placed in a deposit account at such bank or banks as the Board shall designate. For all monies received, receipts will be provided and duplicates kept recorded.
- j. All withdrawals shall be made in compliance with an approved budget, or if not in the budget, should have the prior approval of the Executive Board.
- k. The President may authorize non-budgeted expenditures of \$100.00 or less if funds are available.

*Austin East High School Band Parents and Boosters Association
Constitution and By-Laws*

- l. No person, organization, club, or the like, shall obligate the Band Boosters for non-budgeted expenditures of \$100.00 or less without prior authorization of the President.
- m. All non-budgeted expenditures of \$100.00 to \$500.00 must have authorization by a majority vote of the Executive Board; a quorum is required.
- n. All non-budgeted expenditures over \$500.00 must have the prior approval of the general membership.
- o. All authorized debts are to be paid by check or debit card and forwarded by the Treasurer after receipt of proper billing statements.
- p. All non-instrument items purchased by the Band Boosters become and remain the property of the Band Boosters. Disposal of any item belonging to the Band Boosters will be by a majority vote of the Band Boosters. Responsibility for securing all band-related items left in the care of the band remains with the Band Director.
- q. At the end of each fiscal year, a percentage of the balance will be placed in a special Marching Band uniform account, separate from all other accounts. This money is to be used for the purchase of new band uniforms. Money will not be withdrawn from this account for any reason except for the purchase of new Marching band uniforms.
- r. Uniform cost for students in Auxiliaries that do not wear the standard Marching uniform will be paid for from the Austin East Band Booster General Fund. Instructors are required to submit all uniform cost to the Executive Board as part of budget preparation.

*Austin East High School Band Parents and Boosters Association
Constitution and By-Laws*

- s. A fee equal to the amount charged by the bank will be charged to the writer of each returned check written to the AEBB. This fee will be collected in addition to the amount of the check. AEBB has authority to withhold any fundraising items and take further legal action if the total amount of the returned check and fee are not paid by the date requested in writing by a member of the Executive Board to the check writer.
- t. A payment voucher must be filled out and turned in to the Treasurer before any monies are dispersed or checks written.
- u. All money collected during concessions or fund raising activities will be counted and verified by a minimum of three booster members before leaving the premises, with no exceptions.

Section 2. Expenditures

There shall be no expenditure of funds or ordering of goods, materials, or services without sufficient funds in the treasury to cover the expense. There shall be no expenditures of funds without the expenditure being previously approved in the Band Boosters' budget or having the prior approval of the Executive Board.

Section 3. Donation

- a. Any instrumental donation to the Band Boosters shall become the property of Austin East High School to be used for the purpose(s) donated.
- b. Donations of monies, goods, services, or any other materials shall become the property of AEBB. Donations of monies to the AEBB shall be deposited in the AEBB general fund.

Section 4. Fiscal Year The fiscal year of the Band Boosters shall be from May 1 to April 31.

Section 5. Audits

*Austin East High School Band Parents and Boosters Association
Constitution and By-Laws*

- a. An Audit committee will consist of the Treasurer and three other General members in good standing that do not belong to the Executive Board.
- b. All financial records of the Band Boosters shall be audited annually and an audit report filed with the Band Director and the Executive Board and presented at the September general membership meeting.
- c. The financial records will be audited at any time there is a change in the Office of the Treasurer.

Section 6. Budget

- a. The budget year will conform with the fiscal year of June 1 to May 31.
- b. A budget committee will be selected at the March general membership meeting. The committee will consist of the Incoming President, the Incoming 1st Vice-President, the Band Director, the Incoming Treasurer, the Outgoing Treasurer, and a general member selected from the floor if desired.
- c. The next fiscal year budget will be prepared using the previous year's budget, the annual report of all expenditures and receipts of the current year, prepared by the Treasurer, and projected needs for the coming year by the Band Director and Executive Board.
- d. The next fiscal year budget will be presented to the Executive Board for review and to the general membership for approval at the May meeting.

ARTICLE VII: AMENDMENTS

Section 1. Amendments

- a. These by-laws may be amended at any regular or special meeting of the Board if 30 days notice has been provided.

*Austin East High School Band Parents and Boosters Association
Constitution and By-Laws*

- b. Notification may be a public notice in any local newspaper, a mailing to all members or other means available.
- c. A two-thirds (2/3) vote of the membership present is required for ratification. Absentee or proxy voting is not allowed.
- d. Amendments shall be effective immediately upon adoption unless otherwise specified.
- e. The Executive Board may vote on emergency amendments to alter these By-laws for a period not to exceed 150 days from the date of passage. The following conditions apply to any emergency change:
 - 1. The Executive Board shall notify the General Membership of the emergency amendment at the next regular meeting of General Membership.
 - 2. The Executive Board shall take appropriate action to propose a formal change to the By-laws if such a change is necessary.
 - 3. If an amendment to the By-laws is not proposed and passed within 150 days of the passage of the emergency amendment, the amendment will automatically be rescinded and the By-laws will revert to their original state prior to the emergency amendment.
- f. These by-laws will be reviewed, revised and/or updated every four years or as required.