

ARTICLES OF ASSOCIATION AND BY-LAWS MOORPARK HIGH SCHOOL BAND AND COLOR GUARD BOOSTERS ASSOCIATION

Amended & Adopted April 17, 2019

ARTICLE 1 - MISSION STATEMENT

The purpose of the Moorpark High School Band and Color Guard Boosters Association is to provide organizational, logistical and financial support to the director and staff of the Moorpark High School Instrumental Music Program. Groups supported by the Music Program include Marching Band, Color Guard, Winter Guard, Percussion ensemble, all Wind, String, and Jazz ensembles, and any other instrumental group established at Moorpark High School. These groups are hereinafter referred to as the Music Program. The Band and Color Guard Boosters Association enlists parent and student support to accomplish this mission through planning, fundraising and competition logistics. The Boosters, the Music Program students, the Music Director and staff depend on each other's strengths to perform optimally. An effective Booster organization enables the Director and students to concentrate on the technical aspects of their performances.

ARTICLE 2 - NAME, ADDRESS, RECORDS

Section 1: The name of this Association is the Moorpark High School Band and Color Guard Boosters Association (collectively known as the Moorpark High School Instrumental Music and Color Guard Boosters, the Moorpark High School Instrumental Music Boosters, the MHS Band Boosters, the Band Boosters, or the Boosters). The mailing address is: Moorpark High School, 4500 N. Tierra Rejada Road, Moorpark, California, 93021.

Section 2: The Internal Revenue Service Employer Identification number (E.I.N.) for this organization is 56-2390208. The IRS notified the Association (by letter dated November 24, 2003) that it is exempt from federal income tax under section 501 (a) of the Internal Revenue Code as an organization described in section 501 (c) (3).

Section 3: The maintenance and storage of all records, data and materials of this organization shall be the responsibility of the Secretary and shall be retained for a period of at least seven (7) years.

Section 4: The fiscal year for this organization begins July 1 and ends on June 30 of each year.

ARTICLE 3 - OBJECTIVES

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The objectives of the Association shall be:

Section 1: To provide organizational, logistical, and financial support to the Moorpark High School Instrumental Music Program.

Section 2: To further develop avenues of communication between the Music Program and community.

Section 3: To foster closer parent and student relationships through joint participation.

ARTICLE 4 – MEMBERS

Section 1: Membership shall be open to all parents and/or guardians whose child/children and/or family member/s is/are or will be enrolled in the Music Program. This also includes all parents and/or guardians of incoming freshman or transfer students whose child and/or family member will be enrolled in the Moorpark High School Instrumental Music Program. Members shall be entitled to voting privileges.

Section 2: Associate members with no voting privileges shall include students of the Music Program, alumni parents and students, and other adults that are in agreement with the mission and goals of this organization.

Section 3: The Music Director shall serve the Association in an advisory capacity and shall inform the Association of the Music Program's activities and needs. The Music Director shall serve as a liaison between the Association and the Music Program with no voting privileges.

ARTICLE 5 - BOARD OF DIRECTORS AND THEIR ELECTION

Section 1: The Board of Directors of the Association shall consist of nine (9) Board members, who shall be elected annually in May.

Section 2: Six (6) Board members shall serve as Officers of the Association: President, Vice President, Secretary, Treasurer, Financial Secretary, and Fundraising Director. The other three (3) Board members shall serve in the capacity of Facilities Director, Event/Concert Director, and Volunteer Director.

Section 3: The privilege of being elected or appointed to the Association's Board of Directors shall be limited to adults whose child/children and/or family member(s) is/are incoming or returning to the Moorpark High School Instrumental Music Program. If a Board member's child leaves the program after his or her election or appointment, the

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Board member may request to complete his or her term according to the provisions of Article 5, Section 7.

Section 4: Nominations for the Board of Directors shall be made by a three member Nominating Committee, which shall be appointed by the Association during the January meeting. The Committee shall elect its own chairperson. The duty of this Committee is to nominate candidates for the Board of Directors and to present a proposed slate prior to the May general meeting. The nominating committee shall provide a copy of the current By-Laws to the nominees to clarify the position. Additional nominations from the floor shall be permitted at the May general meeting prior to the vote.

Section 5: Elections shall be held at the May monthly meeting. A simple majority of the membership in attendance will determine the outcome of each position. If three or more nominees run for a single Board position and no nominee achieves a simple majority, a second vote will be conducted with consideration given only to the top two nominees from the first vote.

Section 6: Each Board member shall be elected to serve a one-year term. The term of office shall commence on July 1 and end on June 30. Vacancies that occur in offices other than the President during the ensuing term shall be filled by appointment by the President, with the approval of the Board. In the event of a presidential vacancy, the Vice President will assume the office of President on an interim basis, not to exceed 60 days. During that time, the Board shall appoint a permanent replacement allowing input from the Music Director.

Section 7: If a Board member's child leaves the program before his or her term ends, the Board Member may request permission from the Board to complete his/her term if he/she desires to do so. Such a request must be made and voted on at the first board meeting following the change in status. If the Board member does not want to complete the term, or if the Board does not approve the request by majority vote, with the Board member in question abstaining, then the position shall be considered "vacant" and shall be filled according to the procedures in Section 6 above.

Section 8: If a Board member engages in behavior unsuitable for the Association or fails to perform his/her duties without adequate reason for a period of thirty (30) days or fails to attend three (3) consecutive Board and/or General meetings, the Board may remove the Board Member and declare the position vacant. Any action to remove a Board member requires a simple majority vote of the Board at a regularly scheduled Board Meeting, or at a Special Meeting (refer to Article 8).

Section 9: Board positions shall be limited to one (1) per household during the same one-year term.

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Section 10: All signers on the accounts and the Financial Secretaries shall be subject to a background check.

ARTICLE 6 - DUTIES OF BOARD MEMBERS

Each Board member shall mentor newly elected persons of the duties in their respective areas.

Section 1 - The President:

Shall preside at all meetings of the Association and Board;

Shall be a member ex officio of all committees;

Shall confirm that all persons are appointed to standing and special committees subject to Board approval as outlined in Article 10;

Shall act as liaison between the Music Director and the Association;

Shall oversee the annual budgeting process and ensure that the approved budget is provided to members of the Board and to all members of the Association;

Shall co-sign checks with the Treasurer and/or the Vice President, except when checks are made payable to the President or his/her spouse. The President shall not sign a check without reviewing and initialing the supportive invoice and/or receipt;

Section 2 - The Vice President:

Shall act as an aide to the President;

Shall, in the absence of the President, perform the duties of the President and shall co-sign checks in situations where the President or Treasurer is unable to do so. The Vice President shall not sign a check without first reviewing and initialing the supportive invoice and/or receipt, nor shall the Vice President co-sign a check made payable to spouse or self;

Shall be responsible for the development of the marching band props as set forth by the Music Director in cooperation with the Prop Department Lead and Facilities Director;

Shall be responsible for communicating the final performance schedule and coordinate with the Facilities Director and Roadies Lead to organize the transportation of equipment and/or props to and from the performance sites;

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Shall be responsible for keeping a maintenance log for all transportation equipment;

Shall be responsible for keeping an updated list of all musical equipment and instruments;

Shall organize and participate on the by-law revision committee bi-annually;

Section 3 - The Secretary:

Shall keep an accurate record of the proceedings of all meetings of the Association and of the Board;

Shall prepare a list of unfinished business items for the President and assist with the preparation of the agenda; have on hand for reference at each meeting a copy of the Articles of Association and By-Laws, minutes of the previous meetings, and a list of all committees;

Shall be prepared to present and refer to minutes of previous meeting;

Shall conduct all necessary correspondence of the Association or will ensure that the appropriate Association member is made aware of any specific need for correspondence;

Shall be responsible for transcription and duplication of all notices relating to the Association. Minutes taken during the previous month will be given to Board Members and the band director at least one week prior to the next scheduled Association meeting;

Shall be responsible for managing the flow of information from the Board to the general membership;

Shall co-sign checks in situations where the President or Vice-President are unable to do so. The Secretary shall not sign a check without first reviewing and initialing the supportive invoice and/or receipt, nor shall the Secretary co-sign a check made payable to spouse or self.

Section 4 - The Treasurer:

Shall keep permanent books of all accounts and records;

Shall oversee all monies disbursed by the Association;

Shall pay all bills authorized by the Board or the Association;

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Shall ensure disbursements are authorized or seek proper authorization before making payments;

Shall co-sign checks but shall never co-sign a check to spouse or self;

Shall not sign a check without first reviewing the supporting invoice and/or receipt and budget authorization;

Shall keep an accurate accounting record of receipts and disbursements;

Shall ensure that a monthly bank account reconciliation is performed, and that all deposits and checks written are verified and approved by the Association;

Shall prepare and present monthly financial statements at every meeting of the Association and at other times when requested by the Association including a list of all checks written and deposits made.

Shall prepare all financial records for review, and will ensure that a review is conducted by an individual(s) approved by the board.

Shall ensure the appropriate tax documents, such as IRS Forms W9, 1099, 990, 1096, and 199 are obtained, prepared and/or filed as needed.

Section 5 - The Financial Secretary:

Shall ensure all monies remitted to the Association are deposited in the bank account approved by the Board;

Shall make a complete record of all checks for the treasurer before depositing;

Shall make deposits within four (4) business days upon receipt of such deposit(s);

Shall prepare start up cash for events and fundraisers

Shall assist the Treasurer by maintaining and reporting an accurate record of all receipts for filing financial records;

Shall review monthly bank account reconciliation prepared by the treasurer;

Shall prepare second semester student statements;

Shall maintain records of donations and contributions made by families of students, funds raised through fundraising activities, and donations received from local businesses or others not directly associated with the Music Program;

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Shall prepare year end donation letters;

Shall be assisted by persons appointed by the Board;

Section 6 - Fundraising Director:

Shall act as an aide to the President and Vice President;

Shall organize and oversee all Board approved opportunities;

Shall oversee all fundraising as directed by the Board excluding the Battle of the Bands field show fundraising event.

Section 7 - Facilities Director:

Shall act as an aide and support the Vice President;

Shall be responsible for assisting and coordinating all band related efforts to maintain and keep orderly all equipment, trailers, storage containers and their contents;

Shall be responsible for assisting and coordinating with the props department;

Shall be responsible for assisting and supporting the Roadies Lead and Chuckwagon Lead;

Shall ensure that the band room perimeter is clean and trash removed on a regular basis.

Section 8 - Event/Concert Director:

Shall plan and organize, including but not limited to, Winter Concert, Swing Night, Spring Concert, and in coordination with the Core Leadership Council (CLC) the End of Year Banquet;

Shall secure a working group, that allows for timely preparation prior to scheduled events to help plan and execute the events.

Section 9 - Volunteer Director:

Shall recruit volunteers for Music Program fundraisers and other functions;

Shall maintain volunteer needs on Charms;

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Shall send out emails requesting volunteers for events;

Shall be assisted by persons appointed by the Board.

ARTICLE 7 - FINANCIAL REQUIREMENTS

Section 1 - Money Handling:

All funds received shall be counted by two adults not of the same household, one of which must be an adult member of the Association. The amount counted shall be documented in writing and filed with the Treasurer as part of the deposit documentation.

Cash receipts shall be provided on request, and for all cash donations and/or contributions.

The Board shall be responsible for engaging the services of a reputable financial institution to handle the Association's funds.

There shall be two signatures required on all checks disbursed by the Association. Pre-signing of checks by authorized signatories is prohibited.

Section 2 - Guidelines for Expenditures:

Expenditures directly related to the instructional program shall be approved, if requested, by the School Principal and/or his/her designee.

Funds raised by the Association are not to be commingled with Student Body funds or otherwise used for expenditures prohibited by the California State Education Code.

This organization is a nonprofit public benefit organization and is not organized for the private gain of any person. The property of this organization is irrevocably dedicated to charitable purposes and no part of the net income or assets of this organization shall ever inure to the benefit of any director, officer, or private person.

Section 3 - Distribution of Funds:

If the Association for any reason ceases to exist, funds remaining in accounts after disbanding shall be distributed at the discretion of the Board to another 501 (c) (3).

Section 4 - Financial Review:

An independent reviewer appointed by the Board shall conduct an annual review of the Association's financial records. The reviewer shall verify that the procedures outlined in

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these Articles of Association and By-Laws are followed and that there is a review of internal controls to ensure they are appropriate and adequate.

ARTICLE 8 - MEETINGS

Section 1: Association meetings shall be held at least seven (7) times during the school year.

Section 2: Meetings of the Board will be held on an as-needed basis, but at least nine (9) times per year. A quorum, consisting of a majority of Board members, is necessary for any item requiring a vote.

Section 3: Special meetings of the Association may be called by the President, or by request of five members of the Association, provided one week's notice has been given to the membership.

ARTICLE 9 - THE BOARD

Section 1: The Board shall consist of the elected officers and directors of the Association.

Section 2: The Board shall provide organizational leadership for the Associates-at-large and its various committees.

Section 3: The Board shall authorize payment of routine organizational expenses within the limits of the Association's approved budget. The Board may approve non-budgeted items of less than one thousand dollars (\$1000.00). Non-budgeted expenses over one thousand dollars (\$1000.00) need to be approved by the Association by the simple majority of those present.

Section 4: The Articles of Association and By-Laws shall be reviewed every two years by a committee consisting of a minimum of three members.

Section 5: At the beginning of the term of office, each member of the Board shall be given a copy of these Articles of Association and By-Laws and shall be responsible for making a thorough study of them. A copy of the Articles of Association and By-Laws shall be made available to any member of the Association upon request.

Section 6: Shall establish an operating budget for the fiscal year before the first Association meeting of that year. The Budget Committee ideally consists of the President, previous year's President, Treasurer, the previous year's Treasurer, and Music Director(s). The meeting is open to outgoing and incoming Board members. The President shall chair the Budget Committee.

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ARTICLE 10 - STANDING APPOINTMENTS AND SPECIAL COMMITTEES

Section 1: Standing Appointments and Special Committees shall be established as needed by the Board to allow the Association to serve the Music Program effectively and efficiently. The term of office for Standing Appointments and Chairpersons or Leads of Special Committees shall be one year or shall terminate coinciding with the end of the current Association administration, whichever occurs first.

Each committee shall be composed of volunteer members of the Association and shall report to the Board. Standing Appointments and Special Committees may include, but are not limited to, the following:

Alumni Liaison: Shall function as the liaison between the Board and the alumni.

Battle of the Bands Director: Shall oversee the annual field show fundraising event.

Chuckwagon Lead: Shall provide all food, beverages and related supplies needed for any Band and Color Guard event during marching season and support events throughout the year as needed. Shall keep all Chuckwagon equipment well maintained and "The Casa" (storage shed) organized.

Financial Secretary Assistants: Shall assist the Financial Secretary, (refer to Article 6, Section 5).

Financial Review Committee: One or more persons to ensure procedures are followed as outlined in Article 7, Section 4.

Lemonade Stand Leads: Responsible for ensuring all activities for the successful operation of the Lemonade stand are completed.

Print Media Lead: Shall be responsible for gathering all information in order to prepare and print programs and flyers for all events.

Prop Department Lead: Under the direction of the Vice President and Facilities Director, shall undertake everything necessary to complete and maintain the props for the marching band.

Publicity Coordinator: Shall be responsible for all publicity for all Association and student activities prior to an event and after all events. This includes notifying local Newspapers, Radio stations and local Cable Channels and distribution of tree lot flyer inserts. Shall coordinate with Core Leadership Council (CLC) publicity officer.

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Roadie Lead: Under the direction of the Vice President and Facilities Director, will disseminate information to other Roadies during performing events. Shall work alongside all participating roadies.

Spirit Wear Lead: Shall coordinate the ordering, storing and sale of specialty items which are not required, such as: travel bags, jackets, sweatshirts, show shirts, etc.

Spooktacular Coordinator: Will oversee the October themed concert.

Tree Lot Leads: Responsible for ensuring all activities for the successful operation of the Holiday Tree Lot are completed.

Volunteer Director Assistants: Shall assist the Volunteer Director, (refer to Article 6, Section 9).

Webmaster: Responsible for maintaining the official website of the Music Program by keeping all pages updated with current information.

Winter Guard Lead: Coordinates communication, transportation, and meals for Winter Guard trips.

Uniforms: Shall coordinate the fitting, issuance, repairs, laundry, and storage of all uniforms, headpieces, gloves, and shoes.

ARTICLE 11 - LIMITATION OF LIABILITIES

Section 1: The Association will only be responsible for payment of bills necessary to run the Association. No member of the Board, Staff or the Association in general shall make or incur any debt or liability in the name of the Association or on its behalf unless duly authorized by the Board.

ARTICLE 12 - POLITICAL LIMITATION

Section 1: No substantial part of the activities of this organization shall consist of carrying on propaganda or otherwise attempting to influence legislation, and the organization shall not participate or intervene in any political campaign (including the publishing or distribution of statements) on behalf of any candidate for public office.

ARTICLE 13 - AMENDMENTS

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Section 1: These Articles of Association and By-Laws may be amended by a simple majority vote of the membership in attendance. Notice will be provided to the membership one week in advance when a proposal to amend the Articles of Association and By-Laws is on the agenda.

ARTICLE 14 - PARLIAMENTARY AUTHORITY

Robert's Rules of Order shall be used as the guidelines to conduct all Association meetings. Unless they are in conflict with these Articles of Association and By-Laws.

The below named Officer of the Association certify these Articles of Association and By-Laws which have been duly presented and approved by the Association's Membership as required by Article 13, at the meeting held on April 17, 2019.

Secretary: _____ Date: _____
Claudette Palmer

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