

Lake Band Booster Club Constitution

Article I – Name

- 1.1 The name of this organization shall be the Lake Band Booster Club.

Article II – Purpose

- 2.1 The purpose of this organization shall be to promote the welfare of and stimulate interest in the instrumental band program of the Lake Local School District.
- 2.2 The Lake Band Booster Club is organized for charitable, religious, educational, and scientific purposes, including, for such purposes, the making of distributions to organizations that qualify as exempt organizations under section 501(c)(3) of the Internal Revenue Code, or corresponding section of any future federal tax code.
- 2.3 No part of the net earnings of this club shall inure to the benefit of, or be distributable to its members, trustees, officers, or other private persons except that the corporation shall be authorized and empowered to pay reasonable compensation for services rendered and to make payments and distributions in furtherance of the purposes set forth in Article II hereof.
- 2.4 No substantial part of the activities of this club shall be the carrying on of propaganda, or otherwise attempting to influence legislation, and the club shall not participate in, or intervene in (including the publishing or distribution of statements) any political campaign on behalf of any candidate for public office.
- 2.5 Notwithstanding any other provision of these Articles, the club shall not carry on other activities not permitted to be carried on (a) by a corporation exempt from federal income tax under section 501(c)(3) of the Internal Revenue Code, or corresponding section of any future tax code, or (b) by a corporation contributions to which are deductible under section 170(c)(2) of the Internal Revenue Code, or corresponding section of any future federal tax code.

Article III – Membership

- 3.1 Membership shall be limited to parents, legal guardians, or primary caregivers of present and past band members and the band directors of the Lake Local School District. Voting is limited to band booster members of the Lake Local School District. Members are entitled to vote on decisions which are sent to vote during regular meetings.
- 3.2 There is no membership fee.

Article IV – Officers and Duties

- 4.1 The officers of this organization shall be five (5) in number: President, Vice President, Secretary, and two (2) Treasurers. All officers shall be elected from the band booster membership.
- 4.2 The officer positions shall include:
- 4.2.1 **President** – It shall be the duty of the President to preside over all regular membership meetings of the organization and to enforce the constitution. He/she shall appoint all committee chairpersons, except for the chairperson of the Budget Committee. He/she shall coordinate the work of the officers and committees of the organization. He/she shall prepare an agenda for each regular membership meeting.
- 4.2.2 **Vice President** – The Vice President, in the case of absence or disability of the President, shall perform all duties and exercise the powers of the office of the President. He/she shall be the committee chair of the Budget Committee. The Vice President shall be responsible to appoint and chair a committee to review and revise the By-Laws on even-numbered years or as needed. Any changes to the By-Laws shall be presented and approved at a regular membership meeting. A majority vote of the membership present shall be necessary to approve and adopt changes.
- 4.2.3 **Secretary** – It shall be the duty of the Secretary to keep thorough and accurate records of the regular membership meetings and retain the records of the organization. Retained records shall include regular membership meeting minutes (with treasurer’s report, attendance, and agenda), this Constitution, By-Laws, and key records or correspondence of the organization.
- 4.2.4 **Treasurers** – There shall be two (2) Treasurers. It shall be the duty of the two Treasurers, jointly, to receive, collect, and deposit all monies in connection with this organization, and to pay all bills upon receipt as stipulated within the current operating budget or as approved by the organization. The Treasurers shall maintain accurate records of receipts and expenditures, and are responsible to oversee financial accounts. The Treasurers shall present a report at each regular membership meeting, and as needed shall supply all required data and documents to satisfy the organization’s audit, budget, and other financial purposes. The Treasurers will be responsible to file all financial forms, and to retain supporting records, as required by government agencies. The Treasurers will acknowledge substantial donations made to the organization.
- 4.2.4.1 Both Treasurers shall be authorized and enabled to perform all duties and exercise the powers of the office of the Treasurer, such that each individual may act to fulfill any of the duties when the other individual is unable or unavailable.
- 4.2.4.2 For normal operations, the duties of the office of Treasurer shall be divided into two (2) roles, heretofore referred to as Treasurer-I and

Treasurer-II. Each individual shall assume primary responsibility and accountability for one (1) role, and will regularly audit the work output of the other role. This separation establishes a system of checks and balances, prevents errors, and optimizes efficiencies.

4.2.4.3 Treasurer-I will be primarily responsible to collect and deposit money, pay bills, write checks, and gather receipts and documentation for transactions. Treasurer-I will keep track of transactions made, reconcile with bank statements, and provide records to Treasurer-II at least monthly. Treasurer-I will audit the work of Treasurer-II by regular review.

4.2.4.4 Treasurer-II will be primarily responsible to keep books of all transactions throughout the fiscal year, to ensure transactions are accurately categorized, accounted, and receipted, to maintain all official financial records for the current year, and to retain historical records to satisfy governmental and organizational requirements. Treasurer-II will receive, record, and reconcile transactional records from Treasurer-I at least monthly. Treasurer-II will audit the work of Treasurer-I by regular review.

4.2.4.5 Both Treasurers shall mutually agree as to who will assume roles I or II, and as to who will assume primary responsibility for any other Treasurer duties not assigned a specific role. The assignment of responsibilities shall be communicated to the other officers and band directors upon reaching agreement and upon any subsequent change.

4.3 All expenditures in excess of \$500.00 shall require two (2) officers' signatures consisting of a Treasurer and either the President, Vice President, or the Secretary.

4.4 No officer (or their designee) shall release, permit the release, or permit access to the names, addresses, or other personally identifiable information with respect to any student enrolled in the Lake Local School District.

Article V – Nominations and Elections

5.1 **Eligibility** – A member may hold no more than one officer position at a time. Only one member of any household shall hold an officer position during the same term, unless no other willing candidate can be found.

5.2 Term of office

5.2.1 Officers, except for the Treasurer, shall serve for a term of one year and shall take office on June 1.

5.2.2 The Treasurers shall each serve for a term of two years and shall take office on July 1st. To provide continuity of service and knowledge, the Treasurers' terms shall be

staggered. During each annual election cycle, one Treasurer will continue serving into the second year of his/her term while the other Treasurer is elected.

- 5.3 **Nominations** – A nominating committee shall be formed in February to manage the nomination and election of new officers for the following year. The committee consists of three (3) members appointed by the band directors, and shall not include current officers nor any candidate running for office.
- 5.4 **Announcement** – Announcement shall be made in March to the membership regarding positions to be filled, with instructions and deadlines for nomination. The Committee is responsible to accept nominations, confirm eligibility of candidates, and present the acceptable candidates to the membership present at the April meeting. Nominations from the floor may be accepted at the April meeting.
- 5.5 **Election** – The officers of this organization shall be elected at the May meeting.
- 5.6 **Transition** – Each officer shall transition and deliver materials of the office to newly elected officers during the month prior to, and no later than, the commencement of the successor's term, so as to permit their successor to effectively perform the duties of their office.
- 5.7 **Removal From Office** – Officers may be asked to resign due to dereliction of duty, based on concerns expressed by the officers, band directors, or members of the booster organization. If an officer is determined to be derelict of duty, by approval of the current President, other officers and Band Directors, the office shall be vacated, and the vacancy filled by special election procedures.
- 5.8 **Vacancy and Special Election**
 - 5.8.1 A vacancy in any officer position, resulting from resignation or termination, shall be filled by special election.
 - 5.8.2 Special election shall be announced at least 1 week prior to the next regular business meeting.
 - 5.8.3 During the business meeting, the President shall accept nominations from the membership present. After nominations, the new officer shall be selected by majority vote of the members present.

Article VI – Organizational Procedures

6.1 Regular meetings

- 6.1.1 Regular meetings shall be held at Lake High School during the first full week of each calendar month, with the exception of June, July, August, and December.
- 6.1.2 The day-of-week and time for regularly scheduled meetings shall be proposed by the President and approved by a simple majority of the membership present at a

regular meeting and shall remain continuously in effect until subsequently amended.

- 6.1.3 Regular meetings are open to any person interested in supporting the Lake Band Booster Club.
- 6.2 A quorum shall consist of at least five (5) members at a regular meeting. A quorum is necessary to decide any matter that requires a majority membership vote.
- 6.3 Robert's Rules of Order (Revised) shall govern the organization, with regard to parliamentary procedures, in all cases in which they are applicable and in which they are not in conflict with this Constitution.
- 6.4 The organizational fiscal year shall be from July 1 through June 30.
- 6.5 **Budget Committee**
 - 6.5.1 The purpose of this committee is to recommend an annual operating budget for the upcoming fiscal year.
 - 6.5.2 The budget committee shall be formed and chaired by the Vice President. The budget committee shall meet in June to review financial documentation provided by the Treasurer and to draft the proposed budget.
 - 6.5.3 The annual operating budget shall be presented for approval by the membership at the next regular meeting. During the interim between July and its formal approval, the proposed budget will be considered in effect.

Article VII – Dissolution

- 7.1 Upon the dissolution of this organization, assets shall be distributed for one or more exempt purposes within the meaning of section 501(c)(3) of the Internal Revenue Code, or corresponding section of any future tax code, or shall be distributed to the federal government, or to a state or local government, for a public purpose.
- 7.2 Where possible, assets shall be distributed to the Lake Local Schools for exclusive use to benefit its instrumental band program, or to a non-profit organization whose primary purpose is to support the Lake Local Schools instrumental band program.
- 7.3 Any such assets not so disposed of shall be disposed of by the court of Common Pleas of Stark County, exclusively, as said Court shall determine, which are organized and operated exclusively for such purposes.

Article VIII – Amendments

8.1 Any changes to this Constitution shall require a reading at two (2) regularly scheduled membership meetings. Approval of changes will require a two-thirds (2/3) majority vote of members present at the second regularly scheduled membership meeting. Any proposed Constitutional amendments shall be announced to the membership at least seven (7) days prior to the two readings.

Article IX – Activation

This document supersedes all prior and contains all revisions as authored by the Constitution Committee formed in 2022 and approved by two-thirds majority vote on November 10, 2022.

In witness whereof, we have hereunto subscribed our names on this amended document, this 10th day of November, 2022.

Signed:

Kari Willoughby, President _____

Christina Martin, Vice President _____

Kathleen Martin, Secretary _____

Herbert Whitacre, Co-Treasurer _____

Stacy Dempsey, Co-Treasurer _____

Jared Cooley, Director _____

Mark Tryon, Director _____

Joshua Laux, Director _____

John Rodesh, Director _____

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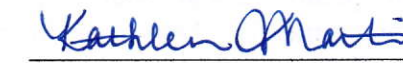
Kari Willoughby, President



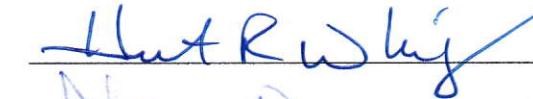
Christina Martin, Vice President



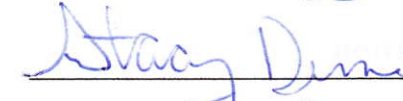
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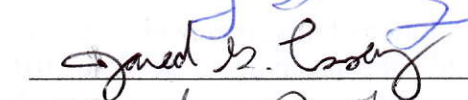
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