

BYLAWS OF THE DIXIE HEIGHTS BAND BOOSTERS
A KENTUCKY 501(c)(3) CORPORATION

ARTICLE I. NAME AND ADDRESS

Section I.01

The name of the Organization, Association or Corporation shall be DHHS Band Boosters, Inc., hereinafter referred to and known as The Band Boosters and shall maintain an office at:
Dixie Heights High School
3010 Dixie Highway
Edgewood, KY 41017

Section I.02

The Executive Board has full power and authority to change the office from this location to another location within the same county at any time.

ARTICLE II. PURPOSE, MISSION AND SCOPE

Section II.01 Purpose

DHHS Band Boosters, Inc. is a 501(c)(3) tax-exempt external support organization formed to provide support to further the interests and activities of the DHHS Band and Band Program activities and extracurricular performance groups comprising the Band, potentially including, but not limited to, Concert Bands, Indoor Percussion, Jazz Band, Marching Band, Music Clinics, Pep Band, Symphonic Band, Winter Guard, and other such programs that may be included at a later date, hereinafter collectively known as The Band Program.

Section II.02 Mission

The Mission of The Band Boosters shall be to provide the moral, logistical and financial support necessary for the DHHS Band Director to develop and maintain a highly successful Band Program.

Section II.03 Scope of Support

The Band Boosters shall provide moral, logistical and financial support to The Band Program in accordance with these Bylaws, Kenton County School District (KCS D) and Redbook policies and local, state or federal laws. The Band Boosters will provide financial support through donation and fundraising activities planned and carried out by The Band Boosters. Student activity fees will be established by The Band Director, in conjunction with The Band Boosters, and approved and assessed by the Kenton County School District and maintained in the Dixie Heights High School Activity Account to support and pay activity expenses.

The Band Boosters will neither seek to direct the administrative activities of The Band Program nor control its policies.

ARTICLE III. BYLAWS

Section III.01

The Band Boosters will operate under these ByLaws. These ByLaws are the legally binding rules by which the Executive Board and The Band Boosters will conduct business in support of The Band Program and its activities. These ByLaws are ratified by 2/3 majority approval of all present Active Booster Members and take effect immediately, rendering all previous versions void. These ByLaws are a living document, will be reviewed quarterly, and amendments made as necessary (Article X Amendments).

Article IV. MEMBERSHIP

Section IV.01

Membership in The Band Boosters shall be open to all parents and legal guardians of students currently enrolled in a Band Program activity and others who support the Purpose and Mission of The Band Boosters, with approval from the Band Director. Membership shall consist of Active Members and Honorary members.

Section IV.02 Membership Definitions

Active Members are defined as:

- Band Director (non-voting, ex officio)
- Assistant Band Director(s) (non-voting, ex officio)
- Parents or legal guardians of students currently enrolled in a Band Program activity

Active Members shall be granted voting rights, the right to run for any elected office and/or to participate as a Committee Chair or committee member. The term starts on the earliest date a student is enrolled in a Band Program activity. Active membership will automatically change to Honorary Membership at the end of the fiscal year in which the member's student ceases to be enrolled in The Band Program.

Honorary Members are defined as:

- Any other persons, approved by the Band Director, who desire to support the purpose and mission of The Band Program and Band Boosters

Honorary Members will not be granted voting rights or the right to run for any elected office. Honorary members may participate as a Committee Chair or committee member. The term is July 1 through June 30, or the earliest date Honorary Membership is granted or revoked by the Band Director or Executive Board for just cause.

Section IV.03 Membership Register

The Band Boosters shall maintain a membership register containing the parent/legal guardian name(s), membership status, student name(s), address(es), phone number(s), email address(es) and student(s) graduation year, instrument and/or Band Program(s) enrolled in. Honorary members will additionally be asked their relationship to the Band Program and/or student name(s) when requesting participation from the Band Director.

Section IV.04 Property Rights and Liability

No member shall have any rights to or interest in any of the tangible property or assets of The Band Program or The Band Boosters. No individual member of The Band Boosters shall be personally liable for the debts, liabilities or other obligations of The Band program or The Band Boosters.

ARTICLE V. FISCAL YEAR AND TERM OF OFFICE

Section V.01 Fiscal Year

The Band Boosters fiscal year shall run in accordance with KCS D fiscal year from July 1 through June 30

Section V.02 Term of Office

- a. The Band Boosters Executive Board term shall run from the April Election Meeting through May 31 the following school year. Incumbent Executive Board Members will assist the new Executive Board with a transition period of one month but will have no voting privileges.
 1. Executive Board Officers shall serve a one (1) year term for any position. Board members may not serve more than two (2) consecutive terms on the board in any position (elected or appointed). If any position fails to receive nominations for election, the two (2) consecutive terms total limit may be suspended for that year's election with a 2/3 majority vote of all Band Boosters in attendance. Any position filled at a Special Election Meeting due to vacancy shall be exempt from these term limits for that appointed term, unless the appointee serves 50% or more of that term as a vacancy appointment, then it is considered a full term.
 2. If an Executive Board Officer's student ceases to be enrolled in The Band Program during a current fiscal year term, the Officer may continue in the position until the end of the term with a Special Election Meeting 2/3 majority vote of all Band Boosters in attendance. The Officer may also choose to resign, and the position will be filled in the same manner as any vacancy, section IV.02.a.4
 3. Any Executive Board Member may resign at any time with written notice to the Band Director and/or Executive Board. A resignation will take effect on the date specified, or if no date is specified, at the next Executive Board Meeting following receipt of the resignation.
 4. In the event of a vacancy in the office of President, the Vice President shall immediately assume the office and remain in the position for the remainder of the term. All other vacancies in Executive Board positions shall be filled by nomination and 2/3 majority vote of The Band Boosters at a Special Election Meeting within thirty (30) days of the vacancy.
 5. An Executive Board Officer may be removed from office for just cause, including but not limited to, neglect of office, incapacity and/or misconduct. Removal from office requires a 2/3 majority vote of the Executive Board, excluding the officer to be removed. All removal from office proceedings must be brought before The Band Boosters in a regular or special meeting prior to the Executive Board vote.
- b. The Band Boosters Committee Chair Terms shall take effect on a date determined by the Executive Board at the annual May Meeting and based on the needs of The Band Program. Committee Chairs may serve under different term dates.

Article VI. STANDING MEETINGS

Section VI.01 Location

Meetings shall be held at Dixie Heights High School or at such places within Kenton County, State of Kentucky, as designated by the Executive Board with advanced notice to the Executive Board and Booster Members.

Section VI.02 Meetings

All meetings will be run as a "Town Hall " meeting with open discussion and majority vote. Robert's Rules of Order will apply in any instance where an issue cannot be resolved by open discussion or majority vote and/or these Bylaws, KCSD, Redbook or legal statutes cannot be applied. The President shall preside over the below meetings, or in his/her absence the Vice President. All meetings must have a quorum present for the transaction of business and for voting. Each Executive Board Member and Active Booster Member shall be entitled to only one vote in any instance where a vote is taken. Reminder notices of all regular meetings will be posted a minimum of five (5) business days prior to the meeting and notices of all special meetings will be posted a minimum of one (1) business day prior to the meeting; on the Band Program calendar and/or sent in email to all Booster members. Meeting Minutes shall be posted to The Band Program website within five (5) business days of the meeting.

(a) **Executive Board Meetings** shall be held monthly during the calendar year for the purpose of managing the business operations of The Band Program and preparing information or reports necessary for the General Booster Meeting and/or to meet KCSD, Redbook, IRS or other required deadlines. A quorum constitutes 2/3 majority of Executive Board Members present.

(b) **General Band Booster Meetings** shall be held a minimum of 9 times per school year. Ideally the general meeting will occur monthly following Executive Board Meetings. The purpose of the general meeting is to convey information from the Executive Board Meeting regarding The Band Program, to allow open discussion by The Band Boosters for new or old business and to vote on measures requiring Band Booster approval. A quorum constitutes a minimum of ten (10) Voting Members present.

(c) The Executive Board and Band Booster Meeting schedule(s) shall be set by the Band Director after Band Program and School Activity schedules are announced. The meeting schedule will be adjusted as needed to enable Band Director attendance and involvement. The monthly meeting schedule will be announced for the next month at the current month's Booster Meeting.

(d) **Executive Board Budget Meeting** shall be held annually in May, after the Executive Board Elections have occurred, for the purpose of developing a proposed budget for the upcoming fiscal year to be presented to Dixie Heights High School and KCSD by June 30th. Newly elected Executive Board Members will oversee the development and implementation of the budget and may receive guidance from incumbent Executive Board Members upon request. *All* newly elected Executive Board Members must be present during all Budget Meetings; unless an Executive Board Member has a conflict with the meeting schedule and formally rescinds their participation in writing for a specific meeting.

(e) **Band Booster Budget Meeting** shall be held in May for the purpose of discussing and

approving the proposed upcoming fiscal year budget. A quorum constitutes a minimum of ten (10) Voting Members present. Budget approval requires a 2/3 majority vote of all present Active Booster Members. The meeting will function as a general meeting in all other respects.

(f) An annual **Election Meeting** shall be held each April for the purpose of electing officers to the Executive Board for the upcoming fiscal year. Nominations for elected positions will be presented by a Nominations Committee and/or accepted from the floor provided the nominee accepts the nomination and persons do not nominate themselves. Nominees must have a student enrolled in a Band Program activity for the current fiscal year, excluding senior parents. As much as is possible, no position shall run unopposed. A quorum constitutes a minimum of ten (10) Voting Members present. Elected Officers must have a majority vote from all Active Band Booster Members present. In special circumstances voting may occur using confidential and secure electronic application. Only one method of voting will occur for any one election. Active Members shall be entitled to one vote and must be present or electronically submit the vote for it to be counted. The meeting will function as a general meeting in all other respects.

(g) **Special Meetings** may be called for by the Executive Board for any purpose at any time. Special Meeting requests from Booster Members will be considered in the event the request cannot be addressed and/or solved through discussion during the current or next scheduled Booster Meeting. A quorum is determined by whether the Special Meeting is held by the Executive Board or in a Band Booster Meeting, and that assigned quorum will apply.

Article VII. EXECUTIVE BOARD

Section VII.01 Purpose and Scope

The Executive Board shall consist of the Band Program Director and elected officers. Any Active Booster Member is eligible for election to the board. The Executive Board shall work in conjunction with the Band Program Director and The Band Boosters to manage the business operations of The Band Boosters and to control its property and conduct its affairs. The Executive Board shall maintain oversight of all Band Booster business operations, activities, committees and/or meetings to ensure the integrity and intended purpose is being met. The Executive Board shall serve without compensation, conduct business with the highest ethical standards of personal and professional conduct at all times and will strictly uphold these Bylaws, KCSD and Redbook policies and local, state and federal laws; while avoiding conflicts of interest and personal or financial gain. The scope of all Executive Board Members' authority is limited insofar as s/he shall have no governing authority in making policies or rules without approval of the Executive Board and/or Active Booster Members.

Section VII.02 Executive Board Members

- a. The Executive Board shall consist of the **Band Program Director** (Ex Officio member), the Assistant Band Director (when applicable) and these **Elected Voting** Members
 - President
 - Vice President
 - Treasurer (Accounts Payable)
 - Bursar (Accounts Receivable)
 - Secretary/Communications

Section VII.03 Position Descriptions

1. The Band Program Director

- a. Provide the Vision and information necessary to The Band Boosters and Boosters Executive Board to coordinate and fund a highly successful Band Program
- b. Oversee The Band Boosters Executive Board and Band Boosters activities

2. President

- a. General supervision and direction of The Band Boosters except as otherwise provided by law, the Articles of Incorporation and/or these Bylaws.
- b. Preside over all Executive Board and General Meetings
- c. Prepare the agenda for all business meetings and ensure meeting minutes are posted to the Band website and emailed to all Booster Members within five (5) business days of the meeting
- d. Keep the Executive Board informed on all issues and information pertaining to Band Program Activities
- e. Work closely with the Executive Board to align communication strategy and methods with Boosters' highest priorities
- f. Oversee and ensure the filing of required documents, including but not limited to,
 1. State Annual Report
 2. Federal, State, Local Revenue Filings (IRS 990EZ and associated schedules, 1099, 1099s; KY Revenue 51A126, OH Exemption, All Tax Exemption filings, etc.)
 3. Budget
 4. Gambling License
- g. Perform other duties as assigned
- h. Prepare an end of term report to assist the incoming President

3. Vice President

- a. Assist the Band Director and President in representing the Membership
- b. Act as Fundraising Coordinator to oversee and coordinate fundraising activities
 1. Work with the Band Director, Fundraising Chairs and Communications Director on fundraising activities, including grant writing and sponsorship
 2. Present fundraising activities and projected revenue to Executive Board for discussion and approval
 3. Recruit and oversee Fundraising Chairpersons for all Board-Approved activities
 4. Ensure deadlines are being met and activities have adequate resources to proceed and be successful
 5. Oversee and ensure verification of all requirements are met prior to the activity taking place, including but not limited to; oversight of risk management, legal guidelines and requirements, local or state permissions, permit filing, and/or liability or other insurance, etc.
- c. Perform other duties as assigned
- d. Prepare an end of term report to assist the incoming Vice President

4. Treasurer

- a. Adheres to Financial Controls as outlined in this position description and in the Financial Controls section of these bylaws
- b. Manages Accounts Payable

1. Coordinate with the Band Director and School Financial Secretary for The Band Booster School Activity Account
 - (a) This account is maintained by the School Financial Secretary. Funds are dispersed from the account by the Secretary for approved program expenses.
 - (b) The Band Boosters Treasurer reconciles the school activity account statements and reports the information to The Band Boosters on the budget report
2. Maintain The Band Boosters Bank Accounts and General Ledger
 - (a) Track all funds credited or debited from the bank accounts
 - (b) Maintain and reconcile the checkbook
 - (c) Review and reconcile monthly bank statements
 - (d) Prepare all checks for disbursement
 - (e) Oversee and report monthly earnings from all sources, including but not limited to; fundraising, Paypal, sale of equipment or other band program items, Square, etc.
 - (f) Post and review all financial transactions to the general ledger to ensure they are accurate
- c. Prepare, maintain, reconcile and present written financial reports
 1. Prepare and present written financial reports or budgets for all meetings where one may be needed
 2. Coordinate the preparation of the fiscal year budget
 3. Present the fiscal year budget to KCSD, Dixie Heights High School and/or The Band Boosters Executive Board and at General meetings
 4. Maintain all financial report documentation
 5. Update and present budget reports at each Executive and General Meeting, and additional meetings as necessary
- d. Coordinate and communicate with the Bursar
 1. The treasurer is generally responsible for accounts payable and the Bursar is generally responsible for accounts receivable
 2. Communicates and works with the Bursar to receive, count, verify and deposit all money to the School Activity Account and/or The Band Boosters Bank Accounts
 3. Communicates and works with the Bursar to provide money for cash boxes, when necessary, for fundraising and other Band Program activities
- e. Coordinate and work with an Auditor or Third-Party Tax Preparer as needed
- f. Oversee and ensure the filing of required documents, including but not limited to,
 1. State Annual Report
 2. Federal, State, Local Revenue Filings (IRS 990EZ and associated schedules, 1099, 1099s; KY Revenue 51A126, OH Exemption, All Tax Exemption filings, etc.)
 3. Budget
 4. Gambling License
- g. Perform other duties as assigned
- h. Prepare an end of term report to assist the incoming Treasurer

5. Bursar

- a. Adheres to Financial Controls as outlined in this position description and in the Financial Controls section of these bylaws

- b. Manage Accounts Receivable
 - 1. Coordinate with the Band Director and School Financial Secretary for The Band Booster School Activity Account, as needed
 - (a) This account is managed and maintained by the School Financial Secretary and funds are dispersed by the Financial Secretary for use to The Band Boosters
 - 2. Receive and post all monies for deposit from all Band Booster activities to the Band Boosters General Accounts and the School Activity Account within 48 hours, or two (2) business days, of receiving said funds.
 - (a) Band Program Activity Account Fees
 - (b) Donations
 - (c) Equipment and Uniform Charges
 - (d) Fundraisers
 - (e) Spirit Wear
 - 3. Track members' student fees and charges for all Band Program activities including, but not limited to,
 - (a) Band Program Activity Fees
 - (b) Fundraising Money
 - (c) Uniform and Equipment charges
- c. Prepare and present monthly report (Bursar Report) at Executive Board and General Meetings of monthly student accounting
- d. Manage monthly statements to Booster Members for student accounts
 - 1. Prepare and distribute monthly member statements regarding the status of their student's account in accordance with KCSD policy
 - 2. Work with members regarding outstanding activity fees and initiate alternate payment arrangements or fee schedules
 - 3. Work with members regarding outstanding student charges for equipment and uniforms, fundraisers, spiritwear and/or supplies and initiate alternate payment arrangements, return of fundraising or other items causing the account delinquency, and/or initiate legal action for collection of funds
 - 4. Maintain confidentiality with regards to individual families and accounts (i.e. only the Bursar, Treasurer and Band Director will have knowledge of any individual financial concerns)
- e. Coordinate and communicate with the Treasurer
 - 1. The Treasurer is generally responsible for accounts payable and the Bursar is generally responsible for accounts receivable
 - 2. Communicates and works with the Treasurer to receive, count, verify and deposit all money to the School Activity Account and/or The Band Boosters Bank Accounts
 - 3. Communicates and works with the Treasurer to provide money for cash boxes, when necessary, for fundraising and other Band Program activities
 - 4. Communicate and work with the Treasurer regarding Auditor or Third-Party Tax Preparer requested documents
- f. Perform other duties as assigned
- g. Prepare an end of term report to assist the incoming Bursar

6. Secretary/Communications

- a. Work closely with the Band Director and Vice President, to facilitate enhanced organizational communication between Executive Board, Booster Membership and the Public
- b. Coordinate with Band Director to review and approve all information relating to or advertising for Band Program activities to public and social media outlets, websites and other communication platforms, including but not limited to; the Band website, Facebook, Twitter, Instagram, print publications (i.e. newspaper), school digital marquee, Infinite Campus or other school message platform or newsletter, etc.
- c. Supervise message crafting and posted information for all band social media and/or publications or advertisements to ensure accuracy of information and timeliness of announcements prior to Band Program activities
- d. Perform other duties as assigned
- e. Prepare an end of term report to assist the incoming Communications Director
- f. Prepare and distribute to the Band Director and President all meeting minutes for publication to the Band website and disbursement to the Booster Members, within five (5) business days of the meeting date for all Executive Board Meetings, General Meetings, Special Meetings and/or other meetings as assigned
- g. Respond within two (2) business days to requests for clarification or additional information relating to meeting minutes

Section VII.04 Appointed Positions reporting to members of the Executive Board

1. Logistics Director

- a. Report to the Band Director
- b. Coordinate with the Band Director, staff and other volunteers to ensure safe transport of Band equipment, instruments, uniforms, props, etc. to and from all Band Program Activities utilizing the Band Program's trailers, rented truck(s) (i.e. Penske) and private vehicles as needed
- c. At all competitions or Band Program Activities, ensure adequate volunteers to aid in setting up, moving to the competition venue and tearing down equipment and props
- d. Arrange for rental equipment/truck(s) as needed and arrange for pick up and drop off of same

2. Fundraising Chairs

- a. Report to Vice President
- b. Responsible to develop committees and recruit volunteers to execute fundraising activities
- c. Coordinate with Communications Director for electronic sign up (i.e. sign up genius, etc.) and other activity advertising publishing

ARTICLE VIII: COMMITTEES

Section VIII.01 Purpose

The use of committees is necessary to manage the business operations, fundraising needs and/or general activities of The Band Boosters. The following are standing committees necessary to organize, plan and implement fundraising or other Band Program activities. Ad hoc committees may be created at the discretion of the Band Director and/or Executive Board as needed to fulfill The Band Boosters purpose, mission and scope of support. All committee chairs will have a defined role and Executive Board reporting chain and will be appointed by the Executive Board after confirmed interest by the candidate(s).

- **Nomination Committee** – appointed in January and made up of interested Booster Members and whose purpose is to publish Executive Board Officer positions, make direct contact with active Booster members and develop an election nomination list of interested candidates by the March Booster meeting.
- **Bylaws Review Committee** – appointed by the Executive Board when/if the need arises. The committee will be made up of five (5) members, including the Booster Member requesting the review, when applicable. Participants may include any mix of interested Executive Board or Booster Members to make up the remaining vacancies and each member may serve for a portion or the full fiscal year. Vacancies will be filled by Executive Board appointment as they occur.

The purpose of the committee is to review The Band Boosters Bylaws for potential revisions and report back to the Executive Board; the committee will include Executive Board or Booster Member Bylaw concerns in the review, when applicable. When revisions are deemed necessary, the committee chair will present the change to the Executive Board who will then present it to the Booster Members for review and approval. Review of revision information will be sent in email to all Booster Members a minimum of one (1) week prior to a General Meeting and include the current Bylaws with the section to revise highlighted, the proposed Bylaw revision, and when extensive changes are needed a summary page of all proposed revisions.

Approval will be ratified with 2/3 majority vote of all present Active Booster Members.

- **Concessions Chair** – appointed for the upcoming season in March of the current school year for training and transition with the current committee chair and whose purpose is to oversee all concession stand fundraising activities, create the committee and subcommittees necessary to plan, organize and carry out the implementation of concessions for all school or athletic opportunities and to verify all requirements are in place and action items completed prior to each activity date to ensure a successful event
- **Craft Fair Chair** – appointed in January for training and transition with the current committee chair and whose purpose is to oversee the fundraising activity, create the committee and subcommittees necessary to plan, organize and carry out the implementation of the activity and to verify all requirements are in place and action items completed prior to the activity date to ensure a successful event

ARTICLE IX: FINANCES

Section IX.01 Funding

The Band Booster funding shall come from six (6) primary sources in accordance with KCS D and Redbook policy

1. Gifts and contributions
2. Fundraising activities
3. Event ticket and concessions
4. Grants
5. Sponsorships
6. KCS D approved and assessed school program activity fees

Section IX.02 Funding Accounts

The Band Boosters funds shall be disbursed through

1. Operating Fund

- a. The annual budget of The Band Boosters for the upcoming fiscal year will include funding for all aspects of the Band Program as set forth in Article II Purpose.
- b. Each Band Program Activity will have a defined line item in the annual budget. The line items will include proposed available Booster funding, projected sharing percentage, potential activity fees assessed by DHHS and potential fundraising revenue; based on an average of the previous two (2) years program costs, revenue received and number of student participants.
- c. All funding provided to the band program including, but not limited to, donations, fundraising, etc. shall be specified whether it is for general funds or a specific purpose and/or ensemble. Fund sharing percentages shall only be distributed from general funds.
- d. DHHS Approved and Assessed Activity Fees collected shall be set aside for only The Band Program Activity it is required or received for.
- e. The financial standing of The Band Program, at the time the next fiscal year proposed budget is developed, will be considered when determining if a Band Program Activity can continue to be funded by The Band Booster account(s).
- f. The decision to not fund an upcoming fiscal year Band Program Activity must only be made in the event that funding all activities would be detrimental to The Band Program as a whole and strong consideration has been given to the impact that not funding a particular activity would have on The Band Program as a whole. In these cases, number of activity members, cost to manage the activity, return on investment and volunteer resources available must be considered. Every attempt must be made to not cut any Band Program Activity funding.
- g. The decision to not fund an upcoming fiscal year Band Program Activity must be presented to The Booster Members for review and consideration as well as alternative means of funding available to The Band Booster Members prior to a vote on the upcoming fiscal year budget.
- h. In the event that a proposed new fiscal year budget (June) includes a Band Program Activity to be cut from funding and the change is approved by The Band Booster Members when the Final Budget is presented, the funding must be re-evaluated not less than 45 days prior to the start of an impacted Band Program Activity's season to determine if current budget funding may be made available. This budget

review would require convening a Special Executive Board and Band Booster General Meeting for review, fact finding, discussion and Band Booster Member vote.

- i. Funds received and allocated by sharing percent from the general funds to a Band Program Activity will remain allocated to that program. Funds unused at the end of the fiscal year will be returned to the general fund. Funds may be re-allocated at any time to other Band Program Activities **only** if the continuation of The Band Program as a whole requires immediate access to the funds to pay debts that would keep the entirety of The Band Program solvent. Every effort will be made to return funds re-allocated in the same fiscal year. The motion to re-allocate the funds must be presented to and voted on by 2/3 majority of The Band Booster Members present at the Special Meeting.
- j. A written request to review or revise The Band Boosters budget may be presented at any time and a Special Meeting will be convened within 15 days of the request. Proposed changes will be approved by 2/3 majority vote of eligible Band Booster Members and necessary budget amendments made. If required, budget amendments will be forwarded to the DHHS Principal and/or KCSD.
- k. The annual Band Boosters Budget will be reviewed for accuracy, current program operation factors and changes at a minimum in March and September and 45 days prior to the season start of any unfunded Band Program Activity season.
- l. The annual budget, including a copy of the previous years budget, of The Band Boosters for the upcoming fiscal year shall be approved by 2/3 majority vote of attending Active Band Booster Members at the beginning of the June General Meeting.
- m. Once the annual budget has been approved by The Band Boosters, allocation of Funds for non-budgeted items shall be handled according to the following terms and conditions:
 - Non-budgeted items that become necessary for purchase during the course of the fiscal year and exceed \$500 shall require a 2/3 majority vote of The Band Boosters Active Members present during a General Band Booster Meeting.
 - The Band Booster Members shall be notified in writing by email when non-budgeted items are planned for vote at least one week prior to the General Band Booster Meeting when the vote will take place. A description of the non-budgeted item shall be posted in the written email notice.
 - If a non-budgeted emergency arises and funding up to \$500 is immediately necessary, a Special Meeting of the Executive Board shall be convened to vote on the non-budgeted item. If such an emergency condition results in the Executive Board allocating funds outside the approved budget, The Band Boosters shall be advised at the next General Band Booster Meeting.
 - In all cases, the allocation of funds to a non-budgeted item shall not be made when funds and/or unallocated reserves are not available to cover projected expenses of The Band Boosters.
 - Any proceeds in excess of operating expenses shall be transferred to the Strategic Reserve Fund or the budget of the next fiscal year at the discretion of the Executive Board.
- n. The Band Boosters shall not loan funds

2. Strategic Reserve Fund

The Band Boosters shall maintain a Strategic Reserve Fund for the purpose of helping to fund specific uniform or equipment acquisitions or other specific Band Program costs. The balance in the Strategic Reserve Fund may fall “temporarily” below 2% of the Band Boosters annual operating budget, during the fiscal year, however the balance must be restored to at least 2% by the end of the fiscal year. Approval by 2/3 majority vote of The Band Boosters attending a general meeting is required in order to appropriate monies from the Strategic Reserve Fund.

Section IX.03 Assessed Fees and School Activity Fund

The Band Boosters may not assess Booster membership or student activity fees in accordance with KCSD and Redbook policy however The Band Program may set an activity fee that is approved and assessed by Dixie Heights High School and KCSD. All activity fees will be collected by The Band Boosters and disbursed to The Band Program School Activity Account maintained by Dixie Heights High School and the DHHS Financial Secretary on behalf of The Band Program. Activity Fees maintained in the School Activity Account will be used in accordance with KCSD and Redbook policy to pay approved Band Program activity expenses.

Section IX.04 Financial Controls

- a. All money received for Band Program Activities including, but not limited to; fundraising, concessions, sale of Band Program items, donations, spirit wear, student fees, etc. must be counted and verified for deposit by two (2) or more people and maintained on school property in a Band Program safe until deposited within 48 hours or two (2) business days in the Band Boosters bank account or The Band Program School Activity Fund. Generally the Bursar will be responsible for all deposits. The Treasurer is the designated backup when Bursar is unavailable.
- b. For such Band Program activities and/or fundraisers that a cash box is needed, the Treasurer and Bursar will coordinate providing one. For such activities, the Board Member providing the box will either hand the box directly to the Board or Booster Member volunteer in charge of the activity at the start of the activity or place it in The Band Program safe for retrieval by the person in charge of the activity at the start of the activity.
- c. Cash box money will be pre-counted by a Board Member **and** the person receiving the box before use, counted and recorded by the person in charge of the activity at the end of the activity and counted and verified by the Treasurer or Bursar receiving the cash box return. The Bursar will prepare the bank deposit. The Treasurer is the designated backup when Bursar is unavailable.
- d. The Band Room cash lock box will be emptied at a minimum once per week. During the marching season more often will be necessary. Only the Treasurer and Bursar will have access to this lock box and will coordinate the retrieval, count and deposit of all funds received.
- e. A Band Program safe will be provided and maintained. The Treasurer, Bursar, Concessions Committee Chair and Vice President will have access to the safe.
- f. The Executive Board may not increase the Instructional budget by more than 20% of the prior year’s instruction spending without approval of a majority of The Band Boosters present at a general meeting. The Band Boosters shall be notified whenever a vote to change the Instructional expense budget is scheduled at least one week prior to the General Meeting when the vote will take place.

- g. The Band Boosters shall maintain strict financial controls over the bank accounts and access to funds. Only the Treasurer and Bursar will have access to the bank account and an assigned credit/debit card and/or checkbook. In the event a Committee Chair or other approved person needs access to funds, they will request a written check or to check out a card. Credit/Debit Cards must be safeguarded at all times to prevent unauthorized use. A sign out/in form (may also use KCSD Form F-SA-13) must be maintained to track a checked-out card.
- h. Financial Reports shall include the start of the year budget with budget line items and projected expense, income, current expenses and cash on hand. The Financial Reports shall report financial status that is within seven (7) business days of the current meeting.
- i. Financial Reports shall be prepared by the Treasurer and presented to the Executive Board at monthly Executive Board meetings and to the General Band Booster Meeting.
- j. Annual financial reports for the prior year shall be presented at the first regular Band Boosters meeting of the fiscal year.
- k. An independent, unpaid volunteer Auditor shall be appointed by the Executive Board as needed to perform a financial review including, including but not limited to, reconciliation of month-end bank statements, financial review of all major fundraisers, annual audit, verification of adequate internal controls and procedures to maintain compliance with all Federal and Kentucky tax and financial regulations, preparation of a report to submit to the School District (KCSD), and prepare an end of the year report to assist the incoming Auditor(s).

ARTICLE X: AMENDMENTS

Section X.01 Procedure

The Band Boosters Bylaws are a living document and will be amended as necessary. An amendment to these Bylaws may be proposed by any Active Member either verbally at a Band Booster Meeting or in writing. Any proposed amendment to these Bylaws shall be submitted to the Band Program Director and/or the Band Boosters Executive Board. Upon approval by 2/3 majority of the Executive Board, the Executive Board shall submit the proposed amendment(s) to Membership for discussion and action. Notice of any proposed changes shall be given to the Membership at least fourteen (14) days in advance, via email, of the meeting in which a vote is conducted.

An affirmative vote of two-thirds (2/3) of the Quorum of all Active Member votes cast shall be necessary for the adoption of any amendment to these bylaws. Amendments adopted by the Membership shall take effect immediately upon adoption, rendering previous information in these bylaws void. When amendments involve current bylaws information or section changes, the amendment will override that information or section in entirety to avoid confusion. All amendments to these bylaws will be notated on the section changed and/or added to the end of the bylaws. The rules in Article IX of these bylaws may be suspended by an affirmative vote of two-thirds (2/3) of the Quorum of all ballots cast by the Members of The Band Boosters at a General Band Booster Meeting.

ARTICLE XI: GENERAL PROVISIONS

Section XI.01 Records and Document Retention

Upon the expiration of the term of office, or in case of resignation or termination, each Executive Board Member shall turn over to a successor, within seven business days, all records, books, reports, policies, standard operating procedures, work instructions and other materials pertaining to the Executive Board position. All such documentation shall be property of The Band Boosters and/or The Band Program. Documentation pertaining to any position, project or initiative shall be retained for no fewer than five (5) years, or as long as required by State or Federal law or KCSD district policy.

Section XI.02 Bond Requirement

All Officers and Members who handle Band Booster funds, shall be bonded for an amount determined by the Executive Board. The cost of the bond shall be paid by The Band Boosters. This bond requirement may be satisfied by the purchase of a blanket fidelity bond.

Section XI.03 Indemnification

The Band Boosters shall defend, indemnify and hold harmless its Officers and Committee Chairpersons against expenses (including attorney's fees), judgments, penalties, fines and amounts paid in settlement as a result of any action, suit or proceeding that arises as a result of the good faith performance of their duties as an Officer, Director or volunteer for The Band Boosters.

Section XI.04 Dissolution

In the case of any dissolution or other termination of The Band Boosters, all assets after payment of outstanding debts and other legal obligation shall be paid over to Dixie Heights High School, Edgewood, Kentucky, or its successor, to be used for the Dixie Heights High School Band Program, or a successor band; otherwise for other school music purposes. If neither Dixie Heights High School nor a successor exists such assets shall be paid to Kenton County Schools, Erlanger, Kentucky, to be used for other school music programs.