

MCHS BAND BOOSTER BY LAWS

ARTICLE I – NAME

The name of the organization shall be the MIDDLE CREEK BAND BOOSTER (MCBB)

ARTICLE II – PURPOSE

SECTION 1: The MCBB is a voluntary, non-profit corporation composed of persons who have an interest in promoting and maintaining an enthusiastic and quality band program at Middle Creek High School.

SECTION 2: To lend all possible support, both moral and financial, to the band program at Middle Creek High School.

SECTION 3: To cooperate with the band director and those in charge of the band programs, the administration of school involved, the Wake County Administration, and Wake County School Board.

SECTION 4: To build and maintain an organization which will help promote band music at Middle Creek High School and ultimately to promote the band to achieve its utmost quality in the marching band, concert bands and jazz band.

ARTICLE III – MEMBERSHIP

The membership shall consist of anyone interested in the progress and development of band music within Middle Creek High School. Parents of band members are automatically considered active members.

ARTICLE IV – MEETINGS

SECTION 1: All meetings will be governed by Roberts Rules of Order.

SECTION 2: MCBB Board of Directors shall meet each month of the school year.

SECTION 3: General membership meetings shall be called as needed by the MCBB Board of Directors.

ARTICLE V – OFFICERS

SECTION 1: The officers of the MCBB shall be President, Vice President (which can be co-chaired), Secretary and Treasurer.

SECTION 2: The month for election of officers and at-large board members shall be in March in order to allow time for the newly elected board to appoint committees and take over responsibilities before summer vacation.

SECTION 3: Any officer elected may be removed from office by the Board of Directors whenever, in its judgment, the best interest of MCBB would be served thereby. A simple majority of the Board members is required for removal.

SECTION 4: An officer of MCBB must have a child active in the Middle Creek High School Band Program.

SECTION 5: The Executive Committee shall consist of the four (or five) officers as specified in Section 1 of Article 5 and the Middle Creek High School Band Director.

ARTICLE VI – BOARD OF DIRECTORS

SECTION 1: The Board of Directors shall be the governing body of the MCBB with powers to carry out the objectives of this organization.

SECTION 2: The Board of Directors shall consist of nine (9) elected members and three (3) non-elected members.

- a. Three at-large members shall be elected from the general membership of MCBB
- b. The President, by virtue of his/her office, shall serve as a director.
- c. The Vice President, by virtue of his/her office, shall serve as a director.
- d. The Secretary, by virtue of his/her office, shall serve as a director.
- e. The Treasurer, by virtue of his/her office, shall serve as a director.
- f. The Band Director of MCHS, by virtue of his/her office, shall serve as a director.
 - 1. The following shall be ex-officio members of the Board of Directors:
 - 1) Immediate Past President of MCBB
 - 2) Principal of Middle Creek High School
- g. Election of Officers and Board of Directors shall be held in March of each year. They shall serve one-year terms. Any eligible officer or Director can be re-elected to more than one term of office.
- h. A simple majority of the total Board of Directors must be present at a Board meeting to constitute a quorum.
- i. A meeting of the Board of Directors may be called by the President or Vice-President by said notice to state date and place and with reasonable notice having been delivered to all Board members.
- j. Vacancies on the Board of Directors shall be filled by the Board by a simple majority vote of Board members.

SECTION 3: The four officers and three at-large Board members shall be Nominated according to the following procedure:

- a. The Nominating Committee shall consist of the immediate past president who shall act as Chairperson and shall select three other current Board members to serve with him/her for a total of four members. If for any reason the immediate past president is unable to serve, the Board shall, by simply majority vote, select another Board member to act as Chairperson.
- b. The Nominating Committee shall present its slate of offices and at-large members at the General Membership meeting in February, being one month prior to election.
- c. Any member of the MCBB wishing to nominate an individual not on the Nominating Committee’s slate shall notify the Chairman of his/her intent to do so after confirming with the individual who he/she wished to nominate that he/she is willing to serve in said capacity.
- d. The Nominating Committee will conduct the election of officers and at-large board members at the General Membership meeting in March. The Nominating Committee shall present its slate of officers and at-large members and entertain nominations from the floor prior to the election of officers.

ARTICLE VII – BUDGET

SECTION 1: A proposed budget for the next fiscal year shall be prepared by February of the current fiscal year by the Executive Committee of the current Board of Directors.

SECTION 2: The budget proposed by the Executive Committee shall be presented to the full Board of Directors by March and shall be approved by a two-thirds majority of the total board. The proposed budget shall be presented to the general membership by the March general meeting.

SECTION 3: The proposed budget as approved by the Board of Directors shall be presented at the General Membership meeting by April for discussion and vote. The proposed budget shall be approved by a two-thirds majority of the members present at the meeting.

ARTICLE VIII – FAIR SHARE and SCHOLARSHIP

Section 1: Fair Share is defined as the fees (dues) paid by each member who participates in one or more of the groups that make up the Middle Creek Band program; it makes up the ‘majority of the operating budget’ and is used to cover or offset expenses throughout the band’s fiscal year.

Section 2: Based upon the program’s estimated expenses and income for the coming year, the MCBB Executive Board will set the amount of Fair Share to be paid, and the accompanying payment schedule. This amount and schedule will then be presented to, and approved by, the general membership of MCBB.

Section 3: Band families with multiple students in the program will be eligible for a discounted Fair Share fee for the second or third (etc) student as determined by MCBB Executive Board when setting the amount each year.

Section 4: For any families who express a need for financial assistance to cover their Fair Share, a scholarship award will be considered by the MCBB Executive Board following a parent conference with the Booster President and/or Treasurer to discuss an individual payment plan and/or hardship award.

Section 5: Fair Share may be paid directly via check, made payable to MCHS Band Boosters, or any online payment option available, or through Fundraising credits to a student’s (or family’s) account.

Section 6: All monies collected as part of Fair Share payments are considered non-refundable, and will be earmarked for approved band expenses while the student and/or family is still active in band activities.

Section 7: Any monies collected over and above the determined fee will carry over year-to-year to either the same student or a sibling, or as follows if there is no one from the same family still in the band program:

- a. Any credit balance at the end of the fiscal year resulting from a direct Fair Share payment will be allocated to the band’s General Fund, and will help offset any Scholarship awards.
- b. For any credit balance at the end of the fiscal year resulting from a Fundraising credit will likewise be allocated to the band’s General Fund, and will help offset any Scholarship awards.

Section 8: Any check returned for Insufficient Funds will be assessed a fee equal to the amount charged to the band by our bank.

Section 9: Late notices will be sent to each family if Fair Share payments are missed, and late payments will be accepted without penalty. However, if all financial commitments are not satisfied by the end of the fiscal year, further participation in the band program may be at risk at the discretion of the Executive Board and Band Director.

Section 10: All matters concerning Fair Share and/or Scholarship should be addressed to the Booster President and/or Treasurer.

The above amendment to the corporation’s Bylaws was approved by the Board of Directors meeting on the 10th day of July 2017, and was further ratified with a two-thirds majority vote at the general membership meeting on the 28th day of July 2017.

ARTICLE IX – MINUTES, RECORDS AND FISCAL YEAR

SECTION 1: Minutes of all meetings shall be recorded and presented at the next meeting. The Secretary shall have custody of the minutes.

SECTION 2: The Treasurer shall maintain books of all financial affairs of the organization, recording all receipts and expenditures. A monthly written report shall be distributed to all members present at the regular monthly meetings and incorporated into the minutes. On or before May 31 of each year, the Treasurer shall file a written report of the year's financial transactions. This report shall be entered or placed in the minutes book. An independent third-party review for expenditures and revenue will be done at the end of each fiscal year.

SECTION 3: The fiscal year is June 1 through May 31.

SECTION 4: All officers and Board members shall surrender all MCBB records at the end of his/her term of office to his/her elected successor.

ARTICLE X – AMENDMENTS TO THE BY LAWS

SECTION 1: Amendments to the by-laws may be presented to the Board of Directors by any member of the MCBB and will be presented at the next regularly scheduled board meeting. Any action on amendments will be taken at a subsequent board meeting.

SECTION 2: The Board of Directors will present the proposed amendments at the general MCBB membership meeting. A vote of two-thirds of the members present at the next general MCBB meeting will be required to enact any amendments to the by-laws.

SECTION 3: Any technical revisions can be made by the MCBB lawyers.

ARTICLE XI – DISSOLUTION/ASSET PROVISION

SECTION 1: The MCBB can be dissolved or disbanded by the two-thirds vote of the Board of Directors.

SECTION 2: Upon the dissolution of the corporation, the Board of Directors shall after paying or making provision for the payment of all of the liabilities of the corporation, convey or dispose of all of the assets of the corporation to one or more charitable or educational organizations and institutions as shall at the time qualify as an organization exempt from federal tax under the provisions of Section 501 (c)(3) of the Internal Revenue Code, or other exempt organization as set forth in G.S, 105-164.14(b). Any assets not so disposed of, shall be disposed of by the Superior Court of Wake County exclusively for public purposes or to such organizations, institutions and/or governments, such as the court shall determine, which are organized and operated exclusively for public purposes.

The above amendment of Article X-Section 2 of the corporation's Bylaws was approved by the Board of Directors at the general meeting of the Board on the 16th day of April 2008. This resolution supersedes Bylaw Article X-DISSOLUTION Section 2 dated March 3, 2003. We further certify that the Board of Directors of the Middle Creek High School Band Boosters Club, Inc. has, and at the time of adoption of this resolution had, full power and lawful authority to amend the corporation's Bylaws.

[PRIOR SECTION 2: In the event the organization is dissolved or disbanded to terminate its existence, the Treasurer is directed to pay any and all debts of the organization and any and all funds remaining in his/her possession shall be paid to the High School band account, giving a full account of all receipts and expenditures since the last report to the Board of Directors.]

In Witness Whereof, we subscribe our names to this document, this the 16th day of April 2008.


Patty Dressen, President


Helena Mazzella, Secretary