

Restated Bylaws of the  
**Maricopa Band Boosters, Inc.**

Pending

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## Article I. Name

- Section 1.1** **Name.** The official name of this organization is Maricopa Band Boosters, Inc. The organization is commonly called Maricopa Band Boosters or MHS Band Boosters.
- Section 1.2** **Parent Organization.** Maricopa Band Boosters, Inc. is a member organization of Parent Booster USA. As such Maricopa Band Boosters operates in accordance with the provisions and membership requirements of Parent Booster, USA.  
(<https://parentbooster.org/resources/membership-agreement>)

## Article II. Purpose

- Section 2.1** **Mission Statement.** It is the mission of the Maricopa Band Boosters to assist the Band Director and school in providing the best music education possible for our students. Through our volunteer organization, we provide moral, physical, and financial support to achieve this mission.
- Section 2.2** **Expectations of Fellowship.** Members of the Maricopa Band Boosters are expected to show support, community spirit, and pride in the Band Program. It is through a spirit of fellowship and goodwill that we best serve the students of the Band Program.
- Section 2.3** **Definition of the Band Program.** The Band Program includes, but is not limited to, Marching Band, Color Guard, Concert Band, Intermediate Band, Symphonic Band, Percussion Ensemble, and Orchestra. When the term Band Program is used herein, it is inclusive of all these music programs.

## Article III. Membership

- Section 3.1** **Membership Tiers.**
- 3.1.1** **General Membership.** This class of membership consists of individuals who wish to make a positive impact on the success of MHS Band Boosters.
- a) All parents and guardians with a child in the Band Program at Maricopa High School are encouraged to participate in this class of membership through attendance at meetings and volunteering.
  - b) General Members are expected to attend the regularly scheduled general meetings.
  - c) General Members are expected to volunteer on at least three (3) different occasions.
  - d) MUSD Staff members with children in the Band Program shall be considered in this General Membership class.

- e) General Members can serve on committees, be appointed to chair committees, or be nominated for an Elected Office.

**3.1.2 Elected Membership.** This class of membership consists of elected officers to the Executive Board. See Section 5.3 for more information about officers.

- a) Elected Members are expected to attend at least seventy-five percent (75%) of their required meetings (General Meetings and Executive Board Meetings).
- b) Elected Members are expected to be present at most supported occasions (volunteer opportunities, performance events, and fundraisers).
- c) Elected Members can serve on committees.

**3.1.3 Staff Membership.** This class of membership includes any school staff member, including but not limited to the Band Director and Principal.

- a) A staff member who is also the parent or guardian of an active Band Program student shall be considered a General Member.
- b) Staff Members can serve on committees.

**3.1.4 Tobacco and Alcohol Zero Tolerance Policy.** Pursuant to MUSD20 School Board Policy KFA - Public Conduct on School Property, there will be NO consumption of alcohol or use of tobacco products on school property or at school functions while volunteering or performing duties associated with the MHS Band Boosters. Individuals caught doing so are subject to termination of membership in MHS Band Boosters as well as school disciplinary action, which may involve criminal charges.

## **Section 3.2 Voting Rights.**

**3.2.1 Right to Vote.** All General and Elected Members have voting rights provided a quorum exists. See Article IV. for more information about meeting quorum requirements. See Section 5.3.1 for more information about the voting specifics of the President.

**3.2.2 Recording Attendance.** To facilitate the voting process, all members must sign-in for every meeting. This will aid the Recorder in keeping an accurate accounting of attendance and voting eligibility.

**3.2.3 Majority Rules.** At any General Meeting, all issues to be voted on shall be decided by a simple majority of those present at the meeting when the vote takes place. See Section 5.3.1 for more information about the voting specifics of the President.

## **Section 3.3 Termination of Membership.**

**3.3.1 Resignation of Membership.** Any elected officer may voluntarily resign his Elected Membership with written notification to any member of the Executive Board. The resignation shall be brought to the Executive Board as a business item with motion and acceptance by vote of the Board. Since other membership is open to all persons or staff members, written notification is not needed for General Members or Staff Members.

**3.3.2 Suspension or Termination.** Any member can be suspended for conduct prejudicial to the best interests of the MHS Band Boosters. Furthermore, any member can be terminated for infractions of these bylaws, violations of regulations, and/or inability to fulfill duties. The suspension or termination shall be brought to the Executive Board as a business item with motion and acceptance by vote of the Board. A written report will be issued to the member explaining the terms of suspension or cause of termination.

**Section 3.4 Transfer of Membership.** MHS Band Boosters membership is not transferable or assignable.

## Article IV. Meetings

### **Section 4.1 General Meetings.**

**4.1.1 Frequency of General Meetings.** General Meetings will be held approximately monthly at the time and place designated by the Executive Board. See Appendix A for suggested topics by month.

**4.1.2 Location of General Meetings.** General Meetings will be held in a public place at a generally convenient location designated by the Executive Board. Whenever possible, this location shall be at the high school.

**4.1.3 Notice of General Meetings.** Notice of General Meeting shall be provided not less than seven (7) days prior to the meeting. The Notice of General Meeting shall specify the date, time, location, and agenda or nature of business. (See Appendix A for suggested topics by month.)

**4.1.4 Quorum Requirement of General Meetings.** Quorum requirements are two-fold. Both criteria must be met.

- a) At least ten (10) members (combination of General Members, Elected Members, and Staff Members) must be present for a quorum.
- b) At least fifty percent (50%) of Elected Members must be present for a quorum.

**4.1.5 Attendance Requirement of General Meetings.**

- a) General Members are expected to attend the regularly scheduled General Meetings in person or via online platforms.
- b) Elected Members are expected to attend at least seventy-five percent (75%) of their required meetings.

**4.1.6 Recording Minutes of General Meetings.** Minutes of General Meetings shall be provided not less than seven (7) days after the meeting. The Minutes of General Meeting shall include the date, time, location, attendance numbers and business decisions which took place during the meeting.

**Section 4.2 Executive Board Meetings.** Executive Board Meetings will be held approximately monthly to prepare for General Meetings at the time and place designated by the Executive Board.

**4.2.1 Authority of Call.** The president, vice-president, or any two (2) Executive Board Members may call an Executive Board Meeting.

**4.2.2 Notice of Executive Board Meetings.** There are no notice requirements of Executive Board Meetings.

**4.2.3 Quorum Requirement of Executive Board Meetings.** At least seventy-five percent (75%) of Elected Members must be present for a quorum.

**4.2.4 Attendance Requirement of Executive Board Meetings.**

- a) Elected Members are expected to attend at least seventy-five percent (75%) of their required meetings.
- b) Members of the Executive Board may participate in an Executive Board Meeting through use of conference telephone or similar communications equipment, so long as all members can communicate (hear and be heard) throughout the entirety of the meeting.
- c) See Section 3.2 for voting eligibility requirements.

**4.2.5 Recording Minutes of Executive Board Meetings.** Minutes of Executive Board Meetings shall be provided not less than seven (7) days after the meeting. The Minutes of the Executive Board Meeting shall include the date, time, location, attendance and business decisions which took place during the meeting.

**Section 4.3 Annual Election Meeting.**

**4.3.1 Election Meeting.** The Annual Election Meeting, for the purpose of electing officers for the following school year, shall take place during April, unless the Executive Board modifies the time and sends adequate notice as specified below. This meeting may coincide with the regularly scheduled April General Meeting,

**4.3.2 Notice of Election Meeting.** Notice of Annual Election Meeting shall be provided not less than fourteen (14) days prior to the meeting. The Notice of Annual Election Meeting shall specify the date, time, location, and officer positions open for election.

**4.3.3 Quorum Requirement of Election Meeting.** Quorum requirements are two-fold. Both criteria must be met.

- a) At least ten (10) members (combination of General Members, Elected Members, and Staff Members) must be present for a quorum.
- b) At least seven-five percent (75%) of Elected Members must be present for a quorum.

**4.3.4 Attendance Requirement of Election Meeting.**

- a) General Members are expected to attend the regularly scheduled General Meetings.

- b) Elected Members are expected to attend at least seventy-five percent (75%) of their required meetings.

**4.3.5 Recording Minutes of Election Meeting.** Minutes of Annual Election Meeting shall be provided not less than three (3) days after the meeting. The Minutes of Annual Election Meeting shall include the date, time, location, and election results which took place during the meeting.

## Article V. Executive Board

**Section 5.1 Executive Board Composition.** The Maricopa Band Boosters Executive Board is made up of five (5) Elected Members with voting rights plus the Band Director who serves in an advisory role. As a Staff Member, the Band Director does not have voting rights and is not considered for quorum requirements.

**Section 5.2 Powers and Duties.**

**5.2.1 Affairs of the Corporation.** The Executive Board manages the affairs of the organization. As such the Executive Board shall:

- a) Hold meetings at such times and place it deems proper.
- b) Admit, suspend, or expel members.
- c) Appoint committees to meet the needs of the organization.
- d) Approve the plans and work of standing and special committees.
- e) Vote on issues brought before the Executive Board.
- f) Act in such ways as to fulfill the Mission of the organization.

**5.2.2 Code of Conduct.**

- a) All Executive Board Members shall conduct themselves in accordance with the policies of the Maricopa Unified School District, as well as AzMBA, ABODA, or other organizational affiliations with which the Band Program participates.
- b) All Executive Board Members recognize that some information provided during meetings is to be kept confidential and cannot be shared with other parties. Opinions and viewpoints should be discussed during meetings only and not with outside parties.
- c) Elected Members have assigned responsibilities and commitments. If, for some reason these duties cannot be met, that member shall present the issue to the Executive Board to be evaluated.
- d) All members shall refrain from any actions or activities that impair, or appear to impair, their objectivity in the performance of their assigned responsibilities.
  - i) A conflict of interest may exist when the direct, personal, financial, or other interest(s) competes or appears to compete with the interests of the organization.
  - ii) When there is doubt as to whether any conflict of interest exists, the matter shall be brought to the Executive Board. If the matter involves a member of the Executive Board, that member shall not vote on the matter.

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**Section 5.3 Officers (Elected Members)**

**5.3.1 President.** The President shall be the principal Executive Officer of the organization and shall, in general, supervise and control all of the activities of the organization.

- a) The President shall preside over all regularly scheduled meetings (General Meetings, Executive Board Meetings, Annual Election Meeting).
- b) The President shall provide all meeting agendas for regularly scheduled meetings, or otherwise designate someone from the Executive Board to do so.
- c) The President shall appoint the chairperson(s) for all Standing and Special Committees. In addition, the President shall be an ex-officio member of all committees of the organization.
- d) The President shall only cast a vote in the case of a tie in a vote. In the event of a tie, the President can only cast a vote if voting rights have not been surrendered.

**5.3.2 Vice-President.** The Vice-President shall perform the duties of the President during a temporary absence of the President, as well as other duties which may be assigned by the President or Executive Board. In the event the President position becomes vacant, the Vice-President shall assume this position on the Executive Board until such time that the Executive Board can take action to fill the position.

**5.3.3 Treasurer.** The Treasurer is the authorized custodian to have oversight of all funds of the organization in accordance with the parent organization's financial policies. The Treasurer will organize, document, and record all financial activities of the Maricopa Band Boosters, as well as other duties which may be assigned by the President or Executive Board.

- a) The Treasurer shall prepare an annual budget and any subsequent amendments consistent with the organization's purpose and tax-exempt status for review and approval by voting members.
- b) The Treasurer shall ensure that numbered receipts are provided for cash received to the organization and that all funds are timely deposited in the organization's authorized bank account(s).
- c) The Treasurer shall maintain financial records (financial reports, checkbook(s), bank statements, deposit slips, cash tally sheets, documentation regarding transactions, IRS Form 990 documents, etc.) and turn all over to the new treasurer at the end of his term.
- d) The Treasurer shall ensure that all funds are timely deposited in the bank account(s) or other depositories as determined by the Executive Board.
- e) The Treasurer shall ensure that payments and disbursements are authorized by an approved budget, or an amendment to the budget.
- f) The Treasurer shall ensure that an annual financial review or audit, as appropriate based on budget size, is conducted and presented to the Executive Board during a General Meeting.
- g) The Treasurer shall prepare and present a written financial report (including income and expenditures, comparing budgeted amount(s) to actual year-to-date amount(s)

at every regularly scheduled General Meeting and at other times as requested by the Executive Board.

**5.3.4 Secretary.** The Secretary shall record the proceedings of all regularly scheduled General Meetings, all Executive Board Meetings, and the Annual Election Meeting, as well as other duties which may be assigned by the President or Executive Board.

- a) The Secretary shall publish meeting notices, to include the date, time, location, and agenda or nature of business not less than seven (7) days prior to the meeting.
- b) The Secretary shall publish meeting minutes, to include the date, time, location, attendance information and business decisions which took place, not less than seven (7) days after the meeting.

**5.3.5 Public Relations.** The Public Relations Officer shall provide general correspondence for boosters.

- a) The Public Relations Officer shall shall post notifications of meetings.
- b) The Public Relations Officer shall volunteer records
- c) The Public Relations Officer shall shall assist president/vice president as needed
- d) The Recorder shall coordinate sponsorships

#### **Section 5.4**

**5.4.1 Vacancies.** A vacancy occurring in any office shall be filled for the unexpired term by a person elected by a majority vote of the remaining members of the Executive Board during an Executive Board Meeting.

#### **Section 5.6 Elections.**

**5.6.1 Nominations.** A nominating committee composed of the President and at least one additional officer shall begin seeking nominees three (3) months prior to the planned Annual Election Meeting. This committee shall develop a slate of candidates for the ballot. Only those who have consented to serve shall be eligible for nomination.

**5.6.2 Ballots.** The nominating committee shall prepare the ballot for election for each open position. Write-in nominations are permitted on the day of the Annual Election Meeting as long as those nominees have consented to serve.

**5.6.3 Voting.** Only General Members and Elected Members present and in good standing may cast a ballot for the open positions. See Section 3.2 or more information about Voting Rights.

### **Article VI. Committees**

**Section 6.1 Chairperson Responsibilities.** The chairperson(s) shall oversee the activities of the committee. This person(s) shall prepare a plan and budget (as needed) for review in accordance with the business needs of the organization. This person(s) shall provide committee updates during Executive Board or General Meetings, as requested by the Executive Board.

**Section 6.2 Standing Committees.** Standing committees take care of the regular activities needed to fulfill the mission of the Maricopa Band Boosters. Such committees include, but are not limited to, Events, Fundraising, Prop, Uniforms. The Executive Board will decide which standing committees are needed on an annual basis.

- 6.2.1 Events Committee.** This committee is responsible for coordinating the activities of all Maricopa Band Boosters sponsored events, such as pot-luck dinners, picnics, banquet, band camp activities, etc. The committee shall plan the events, secure volunteers, and include a report of outcomes in any committee updates.
- 6.2.2 Fundraising Committee.** This committee is responsible for all fundraising activities (including concessions and sponsorships) to support the Maricopa Band Boosters. The committee shall plan the fundraising event, secure volunteers, and include a report of results in any committee updates. The committee chair(s) works closely with the Treasurer to ensure fundraising goals are being met throughout the year to meet the annual budget.
- 6.2.3 Prop Committee.** This committee is responsible for building or securing props necessary for Band Program performances, typically the Marching Band and Winter Guard performances. The committee shall develop a plan, source materials, secure volunteers (as necessary), construct, and transport props. If an outside agency is needed, this committee will work with the Executive Board regarding contracts or agreements.
- 6.2.4 Uniforms Committee.** This committee is responsible for fitting, upkeep, repair, and inventory of band uniforms. The committee shall develop a budget for cleaning and repairs of band uniforms. A member of the committee may accompany the uniformed Band Program performances, typically the Marching Band and Winter Guard, to address uniform issues that may arise.

**Section 6.3 Special Committees.** Special Committees can be formed to meet the temporary needs of the organization as it works to fulfill its mission. The Executive Board will decide to create a special committee as the needs arise. The Executive Board may provide a budget, plan, timeline, and desired outcome to the chairperson(s) upon appointment.

## Article VII. Finances

**Section 7.1 Budget.** The Executive Board shall present the budget at the first General Meeting after the Annual Election Meeting, or as soon thereafter as possible.

- 7.1.1** The budget shall be used to guide the activities of the Maricopa Band Boosters during the year, including serving as approval for planned expenditures. Any substantial deviation (>\$100) from the budget must be approved at a General Meeting.
- 7.1.2** The budget shall include a year-to-year carryover not less than fifty percent (50%) of the prior year budget nor more than allowable per law.

**Section 7.2 Obligations.** The Executive Board may authorize any officer(s) to enter into contracts or agreements for the purchase of materials or services on behalf of the organization.

**Section 7.3 Loans.** No loans shall be made by the organization to its officers or members.

**Section 7.4 Checks.** All checks, drafts, or other orders for payment shall be signed by the Treasurer or other person authorized in writing by the Executive Board, except that checks of \$250 or more must have the signature of at least two (2) officers, such as the Treasurer and the President. Checks shall bear notice of this requirement above the signature line as follows: ***“Two signatures required for checks in the amount of \$250 or more.”***

**Section 7.5 Debit or Credit Cards.** If debit or credit cards are established in the name of the organization, the Executive Board shall establish a list of the authorized users, daily/monthly/annual spending limits, and review and oversight provisions. No personal charging on the card by any individual is allowed.

**Section 7.6 Financial Controls.** The organization shall adopt appropriate financial controls to ensure the integrity of its funds. Specifically, without limitation, the organization shall maintain separation of financial controls so that, minimally:

- a) All expenses must be approved by the membership by way of approval of an annual budget, or amendments thereto, or be approved by separate resolution of the Executive Board.
- b) Checks in the amount of \$250 or greater must be signed by two (2) officers. Checks of the organization shall include notice of this requirement.
- c) The Executive Board shall designate a member without check signing authority to review and reconcile all bank statements on a monthly basis.
- d) Annually, a committee of at least two (2) persons without check signing authority shall audit all of the organization’s financial records, or this committee shall hire and supervise an outside accountant or auditing firm to audit all of the organization’s financial records.

**Section 7.7 Financial Report.** The Treasurer shall present a financial report at each regularly scheduled General Meeting. The Treasurer shall prepare a final financial report at the close of the year in accordance with the provisions and membership requirements of the parent organization.

- a) The Executive Board shall have the final report and accounts examined annually.
  - i) If the organization grosses less than \$100,000 per year, the financial practices and accounts may be reviewed by an internal audit committee. The audit committee shall consist of two (2) or more voting members (General Members or Elected Members) who are not involved in the routine handling of the organization’s finances, including not having signing authority on bank accounts or approval over disbursements.

- ii) If the organization grosses over \$100,000 in receipts, an external professional, such as a Certified Public Accountant (CPA) shall be hired by the audit committee to perform a financial review or compilation.
- iii) Furthermore, if the organization grosses over \$250,000, a full audit shall be conducted by an external CPA.

**Section 7.8 Fiscal Year.** The fiscal year shall be from June 1st to May 31st, unless changed by resolution of the Executive Board.

**Section 7.9 Financial Record Retention.** All of the organization’s financial records shall be maintained and destroyed in accordance with law and standard retention guidelines. Financial records shall be maintained as follow:

| RECORD   | HOW TO STORE   | PERIOD OF TIME  |
|--|--|---|
| Year-end Treasurer’s financial report/statement, annual Internal Financial Review Reports, IRS Form 990s                               | Store in corporate record book, binder, or cloud-based software.                   | At least seven (7) years<br>Consider keeping it permanently.                            |
| Bank statements, canceled checks, check registers, invoices, receipts, cash tally sheets, investment statements, and related documents | Compile & file records on a yearly basis. Store in binder or cloud-based software. | Seven (7) Years<br>Store with financial records.<br><b>Destroyed after seven years.</b> |
| Treasurer’s reports (monthly)  | Compile & file records on yearly basis. Store in binder or cloud-based software.   | Three (3) Years<br>Store with financial records.<br><b>Destroyed after three years.</b> |

### Article VIII. Amendment of Bylaws

**Section 8.1 Amendment of Bylaws.** These bylaws may be amended at any regularly scheduled General Meeting through majority vote of General Members and Elected Members present and in good standing. See Section 3.2 for more information about Voting Rights.

### Article IX. Dissolution

**Section 9.1 Dissolution of Organization.** Maricopa Band Boosters, Inc. may only be dissolved by two-third (2/3) majority vote of all members in attendance at a special meeting specifically called to consider and vote on dissolution, after all General, Elected, and Staff Members have been given fair and reasonable advance notice of such a special meeting. In the event of a vote in favor of dissolution, any funds remaining after all obligations have been satisfied shall be donated to the Maricopa High School music program.

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**Appendix A**

## Suggested Business Topics by Month

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|-----|--|
| Jan | Fundraising Update, Events Update, Winter Performance Schedule       |
| Feb | Fundraising Update, Events Update                                    |
| Mar | Nominate Officers, Fundraising Update, Events Update                 |
| Apr | Elect Officers, Fundraising Update, Events Update                    |
| May | Appoint Standing Committee Chairs, Fundraising Update, Events Update |
| Jun | Approve Budget   |
| Jul | Props Committee Plan   |
| Aug | Fundraising Committee Plan, Props Update, Fall Performance Schedule  |
| Sep | Event Committee Plan, Props Update, Fundraising Update               |
| Oct | Props Update, Fundraising Update, Events Update                      |
| Nov | Fundraising Update, Events Update                                    |
| Dec | Fundraising Update, Events Update                                    |