

Chittenango Music Booster Association Constitution

Article I: Name

The name of the association is the CHITTENANGO MUSIC BOOSTER ASSOCIATION (hereinafter referred to as CMBA), a charitable organization, with its principal office located at Chittenango Middle School, 1732 Fyler Road, Chittenango, New York 13037.

Article II: Purpose

The purpose of CMBA is to promote and encourage community and area support of the Chittenango Central Schools Music Programs (hereinafter referred to as CCSMP). To work with and support the Music Director of CCSMP. To aid in the development of student interest in the CCSMP. To provide financial support for purposes under section 501(c)(3) of the Internal Revenue Code, or corresponding section of any future federal tax code, to students participating in the CCSMP for opportunities above that which is provided for through the Chittenango Central Schools, such as:

- a.) Scholarships
- b.) Awards
- c.) Summer music camps
- d.) Refreshments
- e.) Banquets
- f.) Funds for projects, activities, or trips approved by the executive Committee and the Music Director

Article III: Structure

Under the provisions specified in the bylaws, this organization shall be governed by the elected officers, the executive committee, and the membership, with the cooperation of the Music Director of Chittenango Central Schools.

Article IV: Dissolution

Upon dissolution or disbandment of this association, any and all unallocated funds and assets shall be turned over to the CCSMP for exclusive use in the music programs within the meaning of section 501(c)(3) of the Internal Revenue Code, or corresponding section of any future federal tax code.

Ratified by Membership on _____

Name _____ Title _____ Signature _____ Date _____

Name _____ Title _____ Signature _____ Date _____

Chittenango Music Booster Association

BYLAWS

Article I: Membership

The CMBA shall have three categories of members: Standard Members, Honorary Members, and Student Members. Membership in the CMBA shall be available to persons or businesses that have an interest consistent with the purposes of the Corporation.

Standard Membership - shall be available to parents or guardians of students (past and present) in the CCSMP. Standard Members may serve as Directors and Officers of the Association. Each Standard Member is entitled to one vote on CMBA matters.

Honorary Membership - available to businesses, and to persons who are not parents or guardians of CCSMP students. Honorary Members may not serve as Elected Officers of the Association and are not entitled to vote on CMBA matters, but are encouraged to attend and participate in meetings, serve on committees, and otherwise participate in the activities of the CMBA. There shall be two classes of Honorary Membership in the CMBA.

- **Individual Honorary Memberships**- available to individual persons who support the purposes of CMBA. Alumni of the CCSMP are eligible for this level of membership.
- **Business Honorary Membership** - available to businesses, corporations, firms or organizations that support the purposes of the CMBA. A Business Member shall designate a person (“Delegate”) to represent the business in all transactions with the Association.

Student Membership - shall be available to all students of CCSMP. Student Members may not serve as Directors or Elected Officers of the Corporation and are not entitled to vote on CMBA matters, but are encouraged to attend and participate in meetings, serve on committees, and otherwise participate in the activities of the CMBA.

Membership in the CMBA shall be available to persons or businesses that have an interest consistent with the purposes of the Corporation and shall be granted for the ‘association year’ according to the application process developed and maintained by the Executive Board. The “Association Year” is the 12-month fiscal period for the Association that begins with the first day in August each year and continues through the last day in July in the following calendar year. Status as a member terminates at the end of the Association Year. In the case of a Student Member, status terminates at the end of the Association Year or when the individual ceases to be a student in CCSMP, whichever is sooner. Any member may resign by filing a written resignation with the Executive Board.

Members shall not be required to pay a membership fee.

Article II: Officers

General Guidelines:

The officers of the association shall include President, Vice President, Secretary, Treasurer, and Music Director.

Any Standard Member of the association in good standing shall be eligible to serve as an officer with the exception of Music Director. **All officers must have active students in the district.**

Music Director shall be limited to the Music Director of CCSMP or their designee. The designee would be limited to a member of the faculty in the CCSMP.

The officers of the association shall serve without compensation.

Officers of this association shall serve for a term of one year, **and** may be re-elected.

Officers are expected to attend all General Meetings. If an officer is absent for three consecutive General Meetings without approval ~~from the Executive Committee~~, a replacement will be appointed and serves until the next Election of Officers takes place.

All officers shall deliver to their successors all official material within thirty (30) days following elections.

Nominations:

A nominating committee shall be appointed by the **Treasurer** at the general membership meeting in May.

The Music Director shall also serve on this committee. The nominating committee must seek the consent of the nominee to serve.

The slate shall be given to the President no later than June 1st.

Elections:

Officers shall be elected from the general membership of the association no later than that of the final membership meeting of the year. The term of each office will begin Aug. 1st and end on July 31st of the following year. The term for each office will be for one year. and officers may be voted to serve for as long as they have an active student in CCSMP and remain in good standing.

~~If there is only one candidate for an office, the election shall be by voice vote. If there is more than one candidate for an office, the election shall be by ballot.~~

A majority vote of the standard members present and/or reporting shall constitute an election. Voting may be done by electronic means.

In the case of a vacancy among Elected Officers for any reason, a successor shall be selected by the vote of a majority of the then-serving Elected Officers for the unexpired portion of the term.

Duties of the Music Director

Report to the General Membership music activities that involve Chittenango students.

Identify needs that may be met by the CMBA.

Administrate CMBA sponsorship of individual student needs such as, but not limited to, instrument rentals.

Administrate the use of any non-monetary assets such as, but not limited to, instrument donations.

Duties of President:

The President shall preside over all meetings of the Executive Committee, shall preside over all meetings of the membership, and shall perform such other duties as the Executive Committee, by resolution may designate. The President shall see that all orders and resolutions of the CMBA are carried into effect.

The President shall be chair of the Executive Committee.

The President shall serve ex officio on all committees except the nominating committee.

Duties of the Vice President:

The Vice President shall perform the duties of the President in the absence of the President.

The Vice President shall chair the Bylaws and Constitution committee.

The Vice President shall oversee Public Relations.

Duties of the Secretary:

The Secretary shall attend all meetings and act as clerk thereof, and record all votes and minutes of all its transactions.

The Secretary shall present a written report of minutes at all regular meetings, including a record of all attendees.

The Secretary is responsible for all correspondence of the association.

The Secretary shall be responsible for Membership records.

Duties of the Treasurer:

The Treasurer shall receive all funds due the association, issue appropriate receipts, be solely responsible for deposit of funds in a designated depository determined by the Executive Committee, and shall pay all bills upon authorization of the Executive Committee. Checks may be signed by the President, Vice President, Treasurer, or Music Director. Two signatures are required on checks with Executive Committee approval on all payments over one-thousand (\$1000.00) dollars.

~~Any monetary amount less than \$250 can be approved with 2 executive officer approval, any additional amount needs to be presented via quorum vote via email or at a meeting.~~

The Treasurer shall give a complete financial report, inclusive of bank reconciliations, income received and checks written at each meeting, with a written report submitted to the President and Secretary.

The Treasurer shall chair the Nominating committee.

Article III: Meetings

General Meetings:

General Meetings will occur four times a year. Change of any meeting date due to conflict with the CCSMP calendar will be made by the Executive Committee.

Special Meetings:

Special Meetings can be requested by the Executive Committee as needed.

Quorum:

At least two Executive Committee members and all standard members present shall constitute a quorum. Electronic Voting: Quorum is met when there are responses from at least two officers plus a minimum of six standard members.

Executive Committee Meetings:

Executive Committee Meetings shall be held when necessary.

Order of Business:

1. Call to order.
2. Secretary's report
3. Treasurer's report
4. Director's report
5. Committee reports
6. Old Business
7. New Business
8. Adjournment

Parliamentary Procedure:

In all questions not covered by these bylaws, Robert's Rules of Order shall be the authoritative reference.

Article IV: Committees

Executive Committee:

The Executive Committee shall be composed of the officers of CMBA. The Music Director shall be a non-voting member.

Bylaws and Constitution Committee:

The bylaws and constitution committee shall consist of at least three members to review the constitution and bylaws every five years or at the discretion of the chairperson. The Vice President shall chair this committee.

Public Relations Committee:

The public relations committee shall handle publicity related to the activities of the CMBA. The Vice President shall chair this committee.

Membership Committee:

The membership committee shall solicit members, and maintain a directory of membership indicating type of membership and status. The Secretary shall chair this committee.

Nominating Committee:

The nominating committee shall consist of at least three members. The Music Director shall serve on this committee. The committee members shall be appointed by the Executive

Committee. The Treasurer shall chair this committee.

Fundraising Committee:

The fundraising committee shall recommend those ways of raising funds necessary for financing the activities of the CMBA, and shall coordinate and implement them upon approval of the membership. The chair of the committee shall keep records of supplies, project evaluations and feedback, and all monies.

Awards Committee:

The awards committee shall consist of at least three members. The Music Director shall serve on this committee. The duties of the committee are:

To develop a budget for the awards.

To determine the type and amount of awards offered.

To determine the criteria of selection and develop an application for each type of scholarship award.

To determine the ways to promote or advertise each award.

The budget for the awards must be voted on by the General Membership during the June meeting for disbursement before the end of the current fiscal year. Any changes to this budget must be voted on by the General Membership at a monthly meeting.

Financial Committee:

The financial committee shall consist of at least three members. The President shall serve on this committee. The Treasurer shall chair this committee. The committee members shall be appointed by the Executive Committee. The financial committee will be responsible for filing all forms (Internal Revenue Service and other) to all appropriate agencies.

Audit Committee:

The audit committee shall consist of at least two members. This committee shall examine the treasurer's records at the end of a fiscal year and, satisfied that they are correct, sign a statement of that fact to be presented to the membership at the first meeting of the succeeding fiscal year. The committee members shall be appointed by the Executive Committee. The treasurer may not serve on this committee.

Article V: Finances

The fiscal year begins on August 1st and ends July 31st of each year. **The Treasurer shall keep**

such permanent books of accounts and records as shall be sufficient to establish the items of gross income, receipts and disbursements of the organization.

All monies or funds raised by the CMBA shall become the property of the CMBA.

Donations that specify restrictions on how funds are allocated need to be approved by the Executive Committee.

Funds are to be used only to cover minimal administrative expenses and to support approved projects, activities, and programs of the CMBA.

All non-monetary donations will be accepted on a case-by-case basis by the Music director or his designee. The donor shall be responsible for determining the fair market value of their donation for tax purposes.

A budget shall be proposed by the **Treasurer**, in writing, at the first meeting of each fiscal year. The budget will be voted on for approval at the second meeting of the fiscal year. When determining the budget, the financial committee shall consider the combined assets of the organization along with any budget shortfalls of previous years. The **Treasurer** shall make every effort to not allow account balances to fall below a pre-determined minimum.

The Treasurer is responsible for the timely filing all required Federal, State and local tax reports

Article VI: Awards

~~The CMBA supports student scholarships, and student and teacher recognition activities. The amount and type of awards are recommended by the Awards Committee and decided on by the membership.~~

Article VI: Conflict of Interest Policy

The purpose of the conflict of interest policy is to protect this tax-exempt organization's interest when it is contemplating entering into a transaction or arrangement that might benefit the private interest of a member of the organization or might result in a possible excess benefit transaction. This policy is intended to supplement but not replace any applicable state and federal laws governing conflict of interest applicable to non-profit and charitable organizations.

All members' services are non-paid and goods may not be purchased from a member unless the following conditions are met:

1. The member is providing a professional service or goods to the organization that could not be provided by a volunteer.
2. At least three estimates are obtained to determine the fair market value for these services or goods.

3. The costs are approved by a vote of the General Membership.

All awards shall be disbursed in a non-discriminatory, un-biased manner to all applicants meeting the criteria for the award.

If someone feels that the organization may have violated the conflict of interest policy, then they must provide a written statement outlining their concerns to the Secretary within ninety days of the incident. The Secretary will then form an ad hoc committee within thirty days of at least three members that are not directly involved with the incident to investigate. They may at their discretion involve an outside party to investigate as well. They will then bring their recommendations to the General Membership within ninety days of the formation of the committee. If a vote is required, any members directly involved with the incident will abstain from voting.

This conflict of interest policy will be read at the first monthly meeting of each fiscal year and all officers will sign a copy indicating that they understand and will comply with the policy.

Article VIII: Standing Rules

Political speakers will not be allowed to occupy the time of the association.

Should any grievance arise within the association, the executive committee requires the grievance be put in writing for their consideration. Depending on the nature of the grievance, i.e. confidential or involves a child, the matter may be discussed in executive committee only. Non-confidential matters will be brought to the appropriate committee for resolution and if action is necessary bring to the membership.

Article IX: Amendments

~~Proposed changes or amendments to the Bylaws or Constitution shall originate out of the Bylaws and Constitution Committee. The Bylaws and Constitution Committee shall meet as necessary to review and update the Bylaws and/or Constitution, but shall meet at least once per Association Year. Standard members may submit suggested changes to the Executive Committee for consideration. A majority of members of the Executive Committee may request a review of any specific Article (or Articles) by the Bylaws and Constitution Committee at any time. The Bylaws and Constitution Committee shall propose recommended changes or amendments it deems appropriate to the Executive Committee for review. Upon approval by a majority of members of the Executive Committee, by Bylaws and Constitution Committee shall present proposed changes or amendments at the next meeting of the general membership. The proposed changes or amendments shall be brought to a vote at the next subsequent general membership meeting.~~

The following provisions govern the process of amending or revising the bylaws:

- a. Proposed bylaw amendments shall be presented at any membership meeting of the

Organization. The presentation is to include the existing bylaw or section as written and the proposed amendment(s)

- a. Adoption of the amended bylaw(s) shall be at any subsequent membership meeting by a two-thirds vote (2/3) of voting members present, provided at least two (2) weeks' notice of the proposed bylaw amendment has been given to the membership. The vote shall not be by voice.

Addendums

~~(June 2010) ***Bylaws, Article IV: Committees***~~

~~The Enrichment Committee shall consist of at least four members. The Music Director, President, Treasurer and at least one additional member shall serve on this committee. The Enrichment Committee shall select a chair from among its members at the first meeting of the year. The duties of the committee are:~~

- ~~1. To research and evaluate opportunities by which the CMBA can best support and augment the educational experience for students within the Chittenango Central School music programs. Consideration will be made to seek out opportunities for students in different buildings and grade levels.~~
- ~~2. To send proposed enrichment opportunities, by way of a simple majority approval by the members of the committee, to the Executive Committee for approval. Upon Executive Committee approval, the enrichment committee shall present the proposed enrichment opportunity to the general membership for discussion and approval by simple majority vote at a regularly scheduled membership meeting.~~

~~Funding shall be specified in the CMBA annual budget, as approved by the membership. It shall be within the Enrichment Committee's purview to carry over part, or all, of its annual budget to fund larger expenditures, which may extend beyond one school year.~~

~~Members may suggest opportunities to the committee for study and consideration.~~

~~Requests for funding not stipulated in the CMBA's annual budget shall be sent to the Enrichment Committee for consideration.~~

Ratified by Membership on _____

Name _____ Title _____ Signature _____ Date _____

Name _____ Title _____ Signature _____ Date _____