

Davis Senior High School Band Boosters

-ARTICLES OF ASSOCIATION

Articles of Association of the undersigned, a majority of whom are citizens of the United States, desiring to form a Non-Profit Association under the laws of California, do hereby certify:

FIRST: The name of the Association will be Davis Senior High School Band Boosters.

SECOND: The place in this state where the principal office of the Association is to be located is the City of Davis, Yolo County.

THIRD: Said association is organized exclusively for charitable and educational purposes, including for such purposes, the making of distributions to organizations that qualify as exempt organizations under section 501(c)(3) of the Internal Revenue Code, or the corresponding section of any future federal tax code.

FOURTH: The names and addresses of the persons who are the initial trustees of the association are as follows:

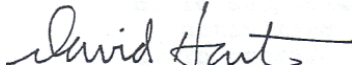
Joycelyn Hart	Co-President	3010 Bryant PI Davis, CA 95616
Dave Hart	Co-President	3010 Bryant PI Davis, CA 95616
Pat Dean	Treasurer"	1718 Cork PI Davis, CA 95616
Jodi DeVries	Secretary	509 Flicker PI Davis, CA 95616

FIFTH: No part of the net earnings of the association shall inure to the benefit of, or be distributable to its members, trustees, officers, or other private persons, except that the association shall be authorized and empowered to pay reasonable compensation for services rendered and to make payments and distributions in furtherance of the purposes set forth in Article Third thereof. No substantial part of the activities of the association shall be the carrying on of propaganda, or otherwise attempting to influence legislation, and the association shall not participate in, or intervene in (including the publishing or distribution of statements) any political campaign on behalf of or in opposition to any candidate for public office. Notwithstanding any other provision of these articles, the association shall not carry on any other activities not permitted to be carried on (a) by an association exempt from federal income tax under section 501(c)(3) of the Internal Revenue Code, or the corresponding section of any future federal tax code, or (b) by an association, contributions to which are deductible under section 170(c)(2) of the Internal Revenue Code, or the corresponding section of any future federal tax code. Notwithstanding, any other provision of these articles, this association shall not, except to an insubstantial degree, engage in any activities or exercise any powers that are not in furtherance of the purposed of this corporation.

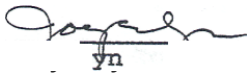
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SIXTH: Upon the dissolution of the association, assets shall be distributed for one or more exempt purpose within the meaning of section 501(c)(3) of the Internal Revenue Code, or the corresponding section of any future federal tax code, or shall be distributed to the federal government, or to a state or local government, for a public purpose. Any such assets not so disposed of shall be disposed of by a court of Competent Jurisdiction of the county in which the principal office of the association is than located, exclusively for such purposed or to such organization of organizations, as said Court shall determine, which are organized and operated exclusively for such purposes.

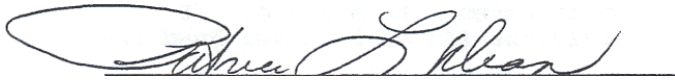
In witness whereof, we have hereunto subscribed our names this 29th day of May, 1995. All documents are effective as of August 1,1993.



David Hart, Co President



,Hart, Co President



Patricia L. Dean, Treasurer

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CONSTITUTION

ARTICLE I: NAME AND PURPOSE

Section 1: The name of the organization shall be the Davis Senior High School Band Boosters, hereinafter referred to as the Band Boosters or DHS Band Boosters.

Section 2: The Band Boosters does hereby constitute itself as a non-profit organization formed for the following charitable and educational purposes within the meaning of Section 501 (c) (3) of the Internal Revenue Code of 1954:

1. Support the Davis Senior High School Bands program by
 - a. conducting fundraisers that allow the DHS bands director to enhance the educational experience of students enrolled in the DHS bands program and provide financial assistance for students with financial limitations to participate in band trips or workshops,
 - b. organizing and chaperoning band trips and other school-related musical functions,
 - c. providing administrative and logistical support for DHS band performances and activities, and
 - d. serving as a means of communication between the DHS bands director and the parents of students enrolled in the DHS bands program.
2. Transact any business and exercise all rights necessary to achieve the stated purposes of this organization.

ARTICLE II: MEMBERSHIP

Section 1: The Band Boosters membership shall consist of the parents of students currently enrolled in the DHS bands program and the DHS Bands Director. Parents whose students have graduated or left the DHS band program will become nonvoting alumni members. Alumni members may volunteer to help in any of the Band Booster functions with the exception of the 4 officer positions and may attend the Band Booster monthly meetings. Any other resident of Davis may become a guest member for the pertinent academic year only with the approval of the 4 officers. Guest members have the same privileges and restrictions as alumni members.

Section 2: All members are eligible to vote on matters presented to the membership for consideration.

ARTICLE III: ORGANIZATIONAL STRUCTURE

Section 1: The members of this organization assign to the elected officers, as defined in the By-Laws, their powers, authority and duties relating to the business and affairs of this organization. The officers shall constitute the policy-making body acting for and in behalf of the organization.

Section 2: The elected officers shall establish policies and procedures and accomplish any actions necessary to satisfy the purposes of this organization. Any policies or procedures, whether established by the officers or proposed by a Band Booster member, is subject to a vote upon introduction and seconding of a motion by a Band Booster member at a duly noticed meeting. All activities organized or conducted by the DHS Band Boosters shall comply with all applicable local, state and federal laws

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for 501 (c) (3) non-profit organizations.

Section 3: The President or his designee will refer any matter to the organizational membership for a vote when a motioned is made and seconded by Band Boosters membership provided the matter falls within the regulations of Band Boosters, the Davis Joint Unified High School District, and Section 501 (c) (3). Any decision made by the officers may be changed by a vote of the Band Boosters membership.

ARTICLE IV: AMENDMENTS TO CONSTITUTION AND BY-LAWS

Section 1: The Constitution and By-Laws of this organization may be amended or repealed only by the affirmative votes of three-fourths of the members attending and voting at a meeting of the membership, provided that the membership has received at least four weeks advance notice, in writing, of all proposed changes.

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BY-LAWS

ARTICLE 1: PURPOSE

Section 1: The By-Laws provide the organizational framework necessary to satisfy the purposes stated in the Davis Senior High School Band Boosters Constitution.

ARTICLE 2: OFFICERS

Section 1: The Officers: The elected officers shall include the President, the Vice-President, the Recording Secretary and the Treasurer.

- The President will oversee and coordinate all functions of Band Boosters.
- The Vice-President will have similar responsibilities as the President, but will be under the direction of the President; and will assume the full responsibilities of the President during any absence of the President.
- The Recording Secretary will maintain the minutes of all Band Booster meetings and maintain all official records of the organization. In addition the Secretary will collect Band Booster mail at least twice a month and be responsible for distribution to appropriate Band Booster members.
- The Treasurer will oversee and maintain all financial transactions of Band Boosters. The Treasurer will also be responsible for the tax form submission at the end of the academic year.

All four officers will have signature authorization for check writing and direct withdraws from the Band Booster bank account.

Section 2: The President may establish or remove committees, as needed, to achieve the purposes of this organization and shall appoint individual members as chairs/coordinators to have the lead responsibilities for specific Band Boosters fundraisers, trips, or other events organized by the Band Boosters.

Section 3: Elected and appointed chairs/coordinators shall be responsible for the activities and duties corresponding to their titles, shall be responsible to the officers of the organization, and may incur financial obligations on behalf of the organization subject to prior approval by the President or Vice-President.

ARTICLE 3: MEETINGS

Section 1: The Band Boosters shall provide the year's calendar at the first Band Boosters meeting of the academic year, shall meet at least once a month during the school year. Any needed changes of the meeting schedule will be announced at least two weeks in advance of the meeting. A tentative agenda for the meeting will be published at least two days before the meeting. The final meeting at the end of the school year shall be the Band Boosters' annual meeting.

Section 2: Publishing a meeting notice in the Band Boosters' monthly newsletter, sending an e-mail message distributed through the Band Boosters' listservs, posting a notice on the Band Boosters' web site along with an email shall be considered notice to

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members.

Section 3: A quorum shall consist of those members attending a duly noticed meeting of the membership. A simple majority of members present and voting shall be required for approval of motions.

Section 4: The President or his/her designee shall chair all meetings. Except for motions to amend the Band Boosters Constitution or By-Laws, decision making shall be done by the four officers. Any member of Band Boosters, however, may make a motion for a vote on any matter that has come or may come before the officers. A simple majority of members present and voting shall be required for approval of motions.

ARTICLE 4: ELECTIONS

Section 1: By May the four Band Boosters officers shall have begun to seek candidates for the following year's vacant officer positions. The list of any proposed candidates shall be announced to the membership prior to the annual meeting.

Section 2: Additional nominations may be made from the floor at the annual meeting, provided the nominated candidate is present and concurs with the nomination.

Section 3: Election shall be by open vote with candidates not present.

Section 4: A candidate receiving a majority of the votes cast shall be deemed elected to that particular office. If no candidate receives a majority, a run-off election shall be immediately held between the two candidates receiving the most votes.

Section 5: Any elected officer positions not filled at the annual meeting shall be filled by election at a subsequent noticed Band Boosters' meeting. In the interim, the president may designate a Band Boosters' member to fill the vacant position until the position has been filled by election.

ARTICLE 5: TERMS OF OFFICE AND VACANCIES

Section 1: The term of office for officers shall begin on July 1st following the Band Booster's annual meeting where they are elected, or when they are elected if it is after July 1st. The term will end on the June 30th following the next annual meeting. upon their election by the members and shall terminate on the date of the next election

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Section 2: An elected office may be deemed vacant through an officer's resignation or due to an officer's inability to perform the responsibilities of the position. An elected officer shall only be removed from office for cause when notice has been given to the membership and upon a three-fourths affirmative vote of those members present and voting at a Band Boosters' meeting. Voting to remove an officer for cause shall be done by secret ballot.

Section 3: When an office other than President is vacated, the office shall be temporarily filled by a member designated by the President. The Band Boosters'

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members shall be asked to confirm the appointment at the next noticed meeting of the membership.

Section 4: When the office of the President is vacated, the responsibilities of the office shall be assumed by the Vice-President until such time as an election by the membership can be held.

ARTICLE 6: FINANCIAL

Section 1: Officers and members of the Band Boosters shall receive no compensation for their services, but may receive such reimbursement for expenses that occur from their official duties and responsibilities.

Section 2: The Treasurer shall maintain a current and accurate accounting of all Band Booster funds. The Treasurer shall ensure appropriate receipts for all expenses and shall pay all bills.

Section 3: All income shall be deposited in and credited to the Band Boosters' accounts. All disbursements shall be made by check in accordance with policies and procedures established by the Band Boosters. Any of the elected officers may withdraw up to \$400 from the Band Booster accounts for incidentals or cash box needs for DHS band events. The officer shall provide the treasurer with a receipt for any incidentals purchased with cash.

Section 4: The Treasurer or a professional accountant shall prepare and file appropriate tax forms on behalf of the Band Boosters at the end of the academic year, as well as file any other documents and pay fees necessary to maintain the organization's non-profit tax-exempt status.

Section 5: The Treasurer shall be the custodian of all Band Boosters' funds and shall keep the account of funds held by individual students and carry said accounts over from year to year.

Section 6: At the Band Boosters' regular meetings, the Treasurer shall submit a financial report that includes the beginning balance of the Band Boosters bank accounts for the most recent bank statement, the ending balance for the most recent bank statement and have access to an itemized list of income and expenses during the same reporting period.

Section 7: The Treasurer shall prepare a summary financial report at the end of the fiscal year (September 1 – August 30) which shall be available, upon request, to all Band Boosters members. Included in the report shall be an itemization of income and expenses from each fundraising activity during the reporting period.

Section 8: After the summary financial report has been completed the four officers will review the summary financial report.

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Section 9: DHS Band Boosters Accounts. The DHS Band Boosters shall hold two bank accounts – a savings account and a checking account. Division of funds shall be separated by sub-accounts managed by the Treasurer within the two bank accounts. The four Band Boosters officers will have signature authority for all checks and withdrawals. Any checks will need to be signed by any two of the four officers. Any one of the four Band Boosters officers may make cash withdrawals as described in Section 3.

Section 10: DHS Band Boosters Sub-accounts. The Treasurer will maintain sub-accounts to reflect the activities of the Boosters. Specific sub-accounts will be determined on an annual basis to reflect each year's activities, but will include at least the following:

- A. ~~Student Accounts – Donated money in this account may be used to cover any of the student expenses of any DHS band trip. Any donated money remaining in the account at the end of the academic year will remain in the account if the student is expected to attend DHS the next academic year. If the student graduates or leaves the school, the donated funds in his/her student account will be transferred to the DHS Band Boosters General Account. However, if the student has a sibling who is attending DHS or will be attending DHS in the next academic year, the funds will then be directed into the sibling's student account.~~
- B. Music Account – Money in this account may be used by the Band Director to purchase music/instruments, to repair DHS band instruments, or to pay for event entry fees, or other purposes related to the music program, all at the director's discretion. However, any single item purchase more than \$3000 shall be approved by the DHS Band Boosters membership.
- C. DHS Band Boosters General Account – Money in this account will be used to pay for incidentals that include but are not limited to: printing costs, advertisement fees, postage, IPAB fees, computer related or website fees, etc. The treasurer may approve payment for any single item costing \$300 or less. The funds may be used to provide financial aid to students who need financial assistance to participate in any DHS band trip (see below). Approval of funds will be made by the Band Booster officers. The names of recipients shall be known only by the Band ~~Booster President~~Director and Treasurer. The Band Booster President shall be able to authorize in advance any expenses under \$500, and any expenses over \$500 must be authorized in advance by a majority of the Band Booster officers. All expenses must then be reported to the Band Boosters at the next meeting as well as the Treasurer. Finally, if needed, funds in this account may be transferred into ~~student accounts globally or to~~ the music account with DHS Band Boosters officer approval.
- D. Facility Account – Money in this account was raised to purchase IPAB furniture and equipment. Special fundraisers can be organized in the future if further facility items are needed such as sound equipment, music stands and lights, etc.

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- E. Savings Account – This money is Band Booster reserve money that may be used for any Band Booster activity where the funds in other accounts are not immediately available. However, the money should be returned back to the Savings account once the money is raised and should be done within the same academic year. For the academic year of 2008-2009 the balance in the Savings account is \$15,000.

Section 11: Distribution of funds into sub-accounts.

- A. Any money earned by a student for work or performance will go into the band account designed by the officers for that event.~~his/her student account.~~
- B. Direct donations that are not designated will go into the general account to be earmarked for capital improvements, not for financial assistance. The direct donation monies will be administered by the Band Booster officers at the request of the Band Director.
- C. Money from concession sales, CD/DVD sales, concert admission fees and scrip will go into the music account unless specifically requested to be for another purpose.
- D. The Band Booster officers have the authority (via simple majority vote) to transfer funds from the reserve account (Savings) to any other account as described in Section 10~~D~~E or from the General account to any of the other accounts.
- E. At the beginning of each school year, the Band Boosters will determine the allocation of funds to be raised from the various planned events during the upcoming year. This allocation may be changed with a majority vote of the Band Boosters present at any official meeting.

Section 12: Other Distributions: The Band director's trip expenses shall be incorporated into the student's cost of the trip. If a substitute teacher is required due to director attendance on the trip, then the Band Boosters will cover the cost of that substitute.

ARTICLE 7:..DISSOLUTION

- 1. Upon dissolution or disbandment of the Band Boosters, any and all unallocated cash funds shall be turned over to the DHS bands.