

**Laguna Hills High School**  
**Instrumental Music and Color Guard Boosters Association**  
**A California Nonprofit Organization**  
Revisions presented on September 21, 2016  
Adopted November 1, 2016

## **BYLAWS**

### **ARTICLE 1 – NAME**

The name of the organization shall be “LAGUNA HILLS HIGH SCHOOL MUSIC AND COLOR GUARD BOOSTERS ASSOCIATION” (Hereinafter referred to as “Music Boosters”, “Association”, “Organization”, and “LHHS”).

### **ARTICLE 2 – OFFICIAL ADDRESS**

The official address for the Laguna Hills High School Music Boosters is 25401 Paseo de Valencia, Laguna Hills, CA 92653.

### **ARTICLE 3 – PURPOSE**

The purpose of the Music Boosters is to promote the Laguna Hills High School Music and Color Guard Boosters Association and related group activities by providing financial and moral support deemed appropriate by the music faculty and the membership of the music boosters and outside the domain and purpose of the school district revenue. Groups so supported include Marching Band, Color Guard, Winter Guard, Wind Ensemble, Symphonic Band, Jazz Band, Orchestra, Drum Line any other instrumental group established at Laguna Hills High School and is hereinafter referred to as “Music Groups.” The Music Boosters will work collaboratively with the district administration, school officials and the music director in pursuit of these objectives.

### **ARTICLE 4 – NONPARTISAN ACTIVITIES**

The organization has been formed for the purpose described above and it shall be nonprofit and nonpartisan.

### **ARTICLE 5 – GENERAL MEMBERSHIP**

General membership in the Music Boosters shall be open to any interested person or legal guardian who subscribes to the purpose and policies of this organization. Parents or guardians of students currently enrolled in the music groups are automatically members and any interested persons should contact a Board member. It is expected all members will play an active role in organization sponsored activities to ensure the overall success of the stated purpose of the organization; all members are expected to actively participate in the many committees necessary to ensure success of the organization, based on one’s ability. Hereinafter, this description is a “member in good standing.” LHHS Music students may attend meetings when accompanied by their parent or guardian but will have no voting rights. From time to time, students may be asked to leave the meetings, if matters are to be discussed that are deemed inappropriate by a majority vote of the adult members present.

All members in good standing or member family in good standing shall have one vote for any vote taken at a Booster meeting and only one vote per family regardless of the number of family members in attendance. Members must be present, in seat or virtually, to vote.

## ARTICLE 6 –BOARD MEMBERS

The Board consists of two functioning groups: Executive Officers and Auxiliary Board Members. The Executive officers are elected and the Auxiliary Board members are appointed annually for a twelve-month term, beginning July 1 through June 30. The offices of the Board members are as follows:

EXECUTIVE Officers	AUXILIARY Board Members
President	Auditor
Vice President	Parliamentarian
Secretary	Unit Coordinators (see Article 9)
Treasurer	Instrument & Equipment Manager
Banker	Communications Coordinator
	Student Representative
	Webmaster

The Board reserves the right to create or eliminate Board positions as deemed necessary to manage the activities during the year. This may occur during the annual nomination process or at any time during the year.

The LHHS Instrumental Music Director shall serve as Advisor to the Board. No Advisor, instructor, coach or member of the Music Boosters, other than an Executive Officer of the Board is authorized to commit the Music Boosters to financial commitments, contracts, or agreements without prior vote of the Board.

## ARTICLE 7 – EXECUTIVE OFFICERS AND THEIR ELECTION

### Section 1 – Executive Officers

The Executive Officers of this association shall be the elected Board Members enumerated in Article 6 Board Members, of these bylaws. Each Executive Officer of this organization shall be a member in good standing.

### Section 2 – Nominating Committee

Nominations for Executive Officers shall be made by a nominating committee. The Nominating Committee shall be named at least two (2) months prior to the annual election meeting in May. The Nominating Committee shall serve until the annual election meeting. The Nominating Committee shall be composed of three (3) members with one (1) alternate, all of whom shall be current members of this organization in good standing who have attended at least three (3) LHHS Booster meetings of the current school year. Members serve on the Nominating Committee for two (2) consecutive years and may continue beyond this term to fill a vacant position to complete the required number of members. The Nominating Committee shall be announced by the March Board meeting. The President may not serve as a member of the Nominating Committee. The Nominating

Committee will present its slate of officers, selected from the current membership, during the May General Membership Meeting. At the May General Membership meeting, additional nominations must be called for from the floor. Every attempt should be made to include representatives from each Music Group on the slate of officers. A written ballot may be created by the Nominating Committee in the event of a contested position. There will no proxy voting, absentee ballots, or write-in candidates on the ballots. If the Board votes to include Candidate Statement forms for an election, a form will be created by the Nominating Committee and will be published and provided with the ballots. Distribution of any other type of Candidate Statement(s) or campaign material by anyone other than the Nominating Committee shall be grounds for disqualification. The Board at its discretion may appoint a Teller Committee of three (3) people for the purpose of distributing, collecting and counting the written ballots. To the extent possible, no current Board member or Nominating Committee should serve on the Teller Committee.

### Section 3 – Criteria for Nominees

Elected Executive Officers shall be limited to members of the organization in good standing who have signified their consent to serve if elected. Nominees for the executive offices of President, Vice President, Treasurer, Banker or Secretary shall not be related by blood or marriage or reside in the same household. Should a child of an officer leave the program and a replacement cannot be found, the officer is encouraged to continue to serve through the end of the term or until a new person can be appointed.

### Section 4 – Election

Election shall be held at the annual election meeting in May. If there is but one nominee for any office, the ballot may be dispensed with and the election held by voice vote.

### Section 5 – Terms of Office

Officers shall serve for a term of one (1) year or until their successors are elected. In the event that no successor is elected, the position is declared vacant. Vacant positions will be filled by the Board-elect. No officer shall be eligible to serve in the same office for more than two (2) consecutive terms or hold more than one elected or appointed office unless the position goes unfilled and the existing officer is willing to continue. Officers shall assume their duties on July 1.

### Section 6 – President-Elect

The President-elect may call meetings of the officers-elect and the Instrumental Music Director as necessary to make plans for the coming year's work.

### Section 7 – Office Vacancy

If an office remains unfilled after election, it shall be considered a vacant office to be filled by the Board elect, and members with less than 30 days of membership may be appointed at the discretion of the Board-elect.

## ARTICLE 8 – DUTIES OF ELECTED OFFICERS

*The duties listed below are representative of the core responsibilities of each position. This is not intended to be all-inclusive. Additional duties may be assigned.*

## Section 1

### **PRESIDENT shall:**

- a. Coordinate the work of the officers, chairmen, and committees in order that the purposes may be promoted.
- b. Fill by appointment any vacancies in the Board as they may occur, such appointments by the majority of the remaining members of the Board.
- c. Preside at all meetings of the Executive Board and general membership.
- d. Be a member ex officio of all committees except the nominating committee.
- e. Coordinate with the Instrumental Music Director in planning a calendar for the Boosters including all meetings, performances, fundraising events and other activities.
- f. Provide an authorized signature for all warrants in conjunction with Instrumental Music Director. If President is absent, then a signature by the Vice President, Secretary or Treasurer is required.
- g. Act as liaison with LHS administration, SVUSD administration, other SVUSD High Schools, and the community. Handle all correspondence on behalf of the organization.
- h. Be one of four (4) authorized check signers for the purpose of disbursements.
- i. Have all contracts and or legally binding documents approved by the general membership, prior to signing a contract along with another elected officer.
- j. Prohibit the execution of any contracts or legally binding agreements that may encumber the association beyond the current fiscal year.
- k. Oversee and communicate with the Parliamentarian and Student Representative.

## Section 2

### **VICE-PRESIDENT shall:**

- a. Assist President as directed.
- b. Preside over meeting in the absence of the President.
- c. Be one of four (4) authorized check signers for the purpose of disbursements.
- d. Present all fundraising ideas to the Board.
- e. Chair all fundraising activities by appointing or working with fundraising committees created for each individual event.
- f. Ensure that any and all fundraisers are "Chaired" by members of the Music Boosters.
- g. Conduct an annual inventory of Music Booster property and submit a report to the Board no later than the June Board meeting.
- h. Oversee the following Auxiliary Board members: Unit Coordinators, Instrument & Equipment Manager, Communications Coordinator, and Webmaster.

## Section 3

### **SECRETARY shall:**

- a. Keep an accurate record of the proceedings of all meetings of the general membership and Board as the legal record of this organization; including all expenditures and motions indicating names of originators, seconds, abstentions, and if passed/failed.
- b. Submit the meeting minutes to the President and Webmaster in a timely manner.
- c. Be prepared to refer to minutes of previous meetings.
- d. Prepare a list of all unfinished business for the use of the President.
- e. Perform such other duties as may be delegated to the Secretary.

- f. Arrange for an alternate note taker in the event the in her/his absence.
- g. Be one of four (4) authorized check signers for the purpose of disbursements.

## Section 4

### **TREASURER shall:**

- a. Be responsible for the handling and accounting of Music Booster funds.
- b. Provide at every meeting a current profit and loss statement, balance sheet and listing of all disbursements detailed by check number, date issued, payee and amount paid, and purpose.
- c. Prepare and annual budget, to be approved by the Board and presented for membership approval at the first general membership meeting each August with the assistance of the President and Instrumental Music Director.
- d. Advise the Board on all financial matters and comply with government requirements relative to financial reporting and regulatory filings (taxes).
- e. Administer Music Booster bank accounts in a responsible manner and make timely disbursements.
- f. Keep such permanent books of account and records as shall be sufficient to establish the items of gross income, receipts and disbursements of the Organization, including specifically, the number of members, membership suggested contributions collected and programs suggested contributions paid.
- g. Contact the bank to secure signatures of all authorized signers on all checking and savings account signature cards and file with the bank immediately upon taking office.
- h. Receive and retain a copy of the deposit slip for any deposit made.
- i. Pay all bills as authorized by the Executive Board or general membership and on receipt of the authorization of payment.
- j. Require all proper supporting documentation, including original invoice, statement or receipt with amount due, verify that item is an approved budgeted expenditure, and secure authorized signatures on warrant prior to the issuance of any cash disbursement.
- k. Secure two (2) signatures on all checks from authorized signers. Authorized signers shall be any two of the following officers: President, Treasurer, Vice President or Secretary.
- l. Prohibit individuals who are related by blood, marriage or reside in the same household from counting cash or checks for the organization together.
- m. Keep an accurate record of receipts and disbursements in a ledger which is a permanent record of this organization. All other financial records must be retained for seven (7) years including the current year.
- n. Keep the membership informed of the expenditures as they relate to the budget adopted for the current year.
- o. Present a treasurer's report at every meeting of the general membership and the Executive Board and at other times as requested by the organization.
- p. Be responsible for completing and forwarding all necessary report forms for insurance and file tax returns prior to deadlines and other forms required by government agencies.
- q. Reconcile the monthly bank statement and promptly turn over to the Auditor when requested, as least twice per year for audit.

- r. Provide financial records to Auditor in December and July for bi-annual audits.
- s. Provide current insurance policy password to the President and Instrumental Music Director.
- t. Make an annual year-end financial report to the organization at the June meeting including gross receipts and disbursements for the year.
- u. Coordinate and delegate work to the Banker and Auditor as necessary.
- v. Prohibit the use of an ATM or credit card for any music booster account.
- w. Management of PayPal account with current password on file with President and Instrumental Music Director.
- x. Make appropriate and timely transfers of funds between accounts.
- y. Keep a current roster of student participants.

## Section 5

### **BANKER shall:**

- a. Give a receipt for all monies for payment as required by the organization and deposit in a bank approved by the Executive Board and give a copy of the deposit slip to the treasurer.
- b. Receive all deposits with a completed cash verification form, signed by at least one other Board member.
- c. Keep an accurate record of all receipts for filing with the treasurer's financial records.
- d. Regularly or at times designated by the Instrumental Music Director, check the booster mailbox and distribute mail/payments promptly to appropriate parties. All receivables (cash or checks) must be recorded on a receipt log with the date received and purpose noted prior to distribution to the responsible party.
- e. Perform other duties as may be delegated by the Treasurer, including, but not limited to collection of program suggested contributions, membership suggested contributions, or other monies due to the organization.
- f. Be prohibited from being a check signer on any Music Booster account.

## **ARTICLE 9 - APPOINTED AUXILIARY BOARD MEMBERS AND GENERAL DUTIES**

The duties listed below are representative of the core responsibilities of each position and is not intended to be all-inclusive. Additional duties may be assigned. Each Auxiliary Board Member of this organization shall be in good standing.

### Section 1 - AUDITOR

#### **AUDITOR shall:**

- a. Audit the bank reconciliations at least twice annually, and promptly report findings to Board and Association (July 1 – Dec. 31 for January report, Jan. 1 – June 30 for September report).
- b. Arrange for an audit by a licensed CPA at the end of the fiscal year, coordinated with Treasurer and approved by the Board.
- c. Audit the books and financial records annually at the close of the Treasurer's term.
- d. Audit the books upon resignation of the Treasurer or any check signer and at any time deemed necessary.

- e. Not be related by blood or marriage or reside in the same household as the financial officers and/or authorized signers of checks.
- f. Submit a written report to the President and Treasurer at the first Board meeting of the each school year, which must then be presented at the general membership meeting for adoption.

## Section 2 - PARLIAMENTARIAN

### **PARLIAMENTARIAN shall:**

- a. Ensure that all meetings are conducted efficiently and smoothly by following Robert's Rules of Order. Shall maintain a current edition of Robert's Rules of Order and a current edition of the Music Booster Bylaws.
- b. Attend all meetings of the organization and of the Board and give necessary advice in parliamentary procedure when required.
- c. Chair the bylaws committee and review the bylaws and standing rules annually.

## Section 3 - UNIT COORDINATORS

- I. Marching Band Coordinator
- II. Color Guard Coordinator
- III. Non Marching Band Music Coordinator
- IV. Winter Percussion Ensemble Coordinator
- V. Ensemble Meal Coordinator (description of duties below.)

### **UNIT COORDINATORS shall:**

- a. Be responsible for the organization of the transportation of equipment to performance sites.
- b. Be responsible for the planning, building, movement and maintenance of equipment on and off performance sites.
- c. Act as a liaison with the parents and students of their unit and the Board.
- d. Establish committees to support additional fundraising activities, with the approval of the Board.
- e. Establish additional committees, with the approval of the Board, to help coordinate uniform care and other volunteer activities to meet the needs of the unit.
- f. Communicate booster activities and information to the members of their unit.
- g. Promptly submit volunteer sign- up sheet to President at conclusion of event/activity.
- h. Attend events with units.

### **Ensemble Meal Coordinator shall:**

- a. Be responsible for providing food/refreshments for music group student related activities as requested by the Board.
- b. Coordinate meals for designated ensemble.
- c. Plan meals according to established budget.
- d. Schedule meals with Instrumental Music Director.
- e. Coordinate serving of meal with ensemble coordinator.
- f. Coordinate and supervise volunteers for preparation, serving, and clean-up.
- g. Promptly submit volunteer sheet to the Vice President at conclusion of event/activity.

#### Section 4 - INSTRUMENT & EQUIPMENT MANAGER

**Instrument & Equipment Manager shall:**

- a. Be responsible for collecting instrument rental fees and remitting them to the Banker in a timely manner.
- b. Be responsible for maintaining a current instrument inventory.
- c. Distribute and collect instruments at the beginning and the end of the year, or as required.
- d. Keep an inventory and oversee maintenance of all property purchased by the Boosters and ensure necessary insurance and registration is kept current.
- e. Keep an inventory and oversee maintenance of all property purchased by the Boosters and ensure necessary insurance and registration is kept current.
- f. Maintain a log/inventory of all purchased and handmade equipment and props. The log is to include for each item: the date obtained, a photograph, the location where it is stored, the value, the replacement cost and all maintenance records.

#### Section 5 – COMMUNICATIONS COORDINATOR

**Communications Coordinator shall:**

- a. Work with the Vice President.
- b. Collect all the data necessary to create an annual membership directory.
- c. Maintain confidential email lists and member contact information to be provided upon request to any authorized Board member or chairman for booster communication purposes.
- d. Maintain point program for all music booster members in prescribed format.
- e. Provide updates to members and Board as requested.

#### Section 6 - STUDENT REPRESENTATIVE

A student representative shall be chosen by the Instrumental Music Director and approved by the Board at the beginning of the school year to represent the students at all Board meetings. This position is a non-voting position. This student must be an actively participating Junior or Senior in one of the LHHS ensembles, and must be a member in good standing.

**The Student Representative shall:**

- a. Act as a liaison between the students in all music groups and the Board.
- b. Give a report to the Board on activities of the students.
- c. Report to the students on Board activities.
- d. Attend all Board meetings and general membership meetings.

#### Section 7 - WEBMASTER

**WEBMASTER shall:**

- a. Maintain music website with updated and Board-approved information.
- b. Support the Boosters communication needs relating to the web.
- c. Provide domain information and password to President and Instrumental Music Director.

## ARTICLE 10 – THE BOARD

### Section 1 – Composition

The Board shall consist of elected officers, appointed Board members and the Instrumental Music Director. The Instrumental Music Director, although not an elected member, shall serve in an advisory capacity.

### Section 2 – Authority, Duties, and Responsibilities

During its term, the Board shall be vested with authority over all facets of management and operation of the Music Boosters, which authority it may delegate to officers at its sole discretion. This authority shall include decisions concerning financial matters and authorization of the payment of bills within the limits of the budget adopted by the general membership, not having the authority to encumber the association beyond the current fiscal year. All bills should be submitted to the appropriate coordinator for approval before payment. Such action must be ratified at the next Music Booster general meeting and recorded in the minutes. Any invoice from SVUSD requires approval of the Instrumental Music Director. No Board member shall negotiate or engage in consulting services on behalf of the Board without the prior approval of the Instrumental Music Director. In addition, the Board will be responsible for the decision regarding the purchase of band equipment, loaning of LHHS Booster property, payment to SVUSD of instructor/music coaches salaries, fundraising, transportation, and lodging expenses and related activities.

The Board can create committees as are deemed necessary to promote the purposes and to carry on the work of the association and serve until the assignment is completed.

The Board shall present a report at meetings of the association.

Outgoing Board members shall be responsible for the effects (e.g. papers, files, CDs, notes, memos, Google docs, etc.) of their offices on or before June 30.

### Section 3 – Conflicts

The Board is subject to the Music Booster Bylaws. An association member shall not be a voting member of this Board while serving as a paid employee of or under contract of the Music Boosters. Conflict of Interest means a conflict, or appearance of a conflict, between the private interests and official responsibilities of a person in a position of trust. Persons in a position of trust include officers and members of the Board. For purposes of this provision, the term “interest” shall include personal interest, interest as an officer, Board member, trustee or beneficiary of any concern and having an immediate family member related by blood or marriage or member of the same household who hold such an interest in any concern.

No transaction of the organization shall be voidable by reason of the fact that any officer or member of the Board of the organization has an interest of is related to a person that has interest in the entity with which the transaction is entered into provided:

- a. The interest of the officer or member of the Board is fully disclosed to the members.
- b. The transaction is duly approved by the Board members not interested or connected as being in the best interests of the organization.
- c. Payments to the interested officer, Board member of related party are reasonable, and do not exceed fair market value.

An interested officer or member of the Board must remove themselves from voting, discussion and the decision making process of a contract, transaction, or situation in which there may be a perceived

or actual conflict of interest. However, they may be present to provide clarifying information in such a discussion at the request of the Board unless objected to by any present member of the Board. Anyone in a position to make decisions about spending, who also stands to benefit from that decision, has a duty to disclose that conflict as soon as it arises or when it becomes apparent.

#### Section 4 – Complaints and Allegations

The organization encourages complaints, reports or inquiries about illegal practices or serious violations of the organization’s policies, including illegal or improper conduct by the organization itself, by its leaders or others on its behalf. Appropriate subject matter to raise under this policy would include financial improprieties, accounting or audit matters, ethical violations or other similar illegal or improper practices or policies. Complaints, reports or inquiries may be made on a confidential or anonymous basis. They should describe in detail the specific facts. They should be directed to the organization's President; if the President is implicated in the complaint, report or inquiry, it should be directed to another Executive Board member. The organization will conduct a prompt, discrete and objective review or investigation. Complainants must recognize the organization may be unable to fully evaluate a vague or general complaint, report or inquiry that is made anonymously.

### ARTICLE 11 – MEETINGS

#### General Membership Association Meeting Time and Place

The General Membership or association meetings of the Boosters will be held at LHHS unless otherwise indicated, no less than seven (7) times during the school year. Special meetings may be called by the President or as requested by the Instrumental Music Director. Meetings of the Executive Officers shall be held when called by the President or as requested by the Instrumental Music Director. General Membership Association and Board meetings shall be conducted according to Robert’s Rules of Order.

### ARTICLE 12 – BOARD MEETINGS

#### Section 1 - Meetings

The Board meetings of the Boosters will be held monthly at LHHS unless otherwise indicated, and no less than seven (7) times during the school year. The Board shall schedule the day and week for the monthly Board meetings at the beginning of the school year. Special meetings may be called by the President or as requested by the Instrumental Music Director. When sensitive issues need to be discussed, (litigation, discipline, personnel matters and contract negotiation and /or contract issues requiring confidentiality) the President may call for a closed session meeting of the Executive Officers and the Instrumental Music Director. Based on the topic of the special meeting, other attendees may be invited by the President if his/her presence is deemed necessary. Meeting minutes for any such session will be taken and a general report of any decision(s) or action(s), redacting any sensitive and/or confidential information will be reported out to the membership. Meetings of the Executive Officers shall be held when called by the President or as requested by the Instrumental Music Director. General Membership Association and Board meetings shall be conducted according to Robert’s Rules of Order.

## Section 2 – Attendance

Elected Board and appointed Auxiliary Board members are expected to attend and participate in all Board, association and special meetings.

## Section 3 – Removal From Board

Should a Board member fail to attend three (3) consecutive meetings without adequate excuse or when a Board member is not fulfilling the responsibilities of their position as prescribed in these bylaws or standing rules, or engages in conduct which the Board determines to be injurious to the organization or its purposes, the Board may, by simple majority affirmative vote, take such action as it determines appropriate, which may include asking for the resignation of the Board member. Any Board member may be removed with simple majority vote of the quorum present at a special meeting called for this purpose, provided however that prior to the removal from the Board, the affected Board member shall be given notice in writing of the intended removal at his/her last known address at least seven (7) days prior to such meeting. The Board member shall be informed of the general nature of the charges and given an opportunity to appear at the meeting to answer such charges.

## Section 4 – Vacating of Office/Position

Each Board Member, upon expiration of the term of office/position shall turn over all records, books and other material pertaining to the office/position to the newly elected/appointed Board member. In case of resignation or termination, all records, books and other material pertaining to the office/position shall be turned over to the President and all funds belonging to the association shall be returned to the Treasurer, without delay.

# ARTICLE 13 – QUORUM

## Section 1 – Board Quorum

To conduct business at any Board meeting, a simple majority of the Elected Officers and Auxiliary Board Members must be present. Any action taken by the Board is to be approved by a simple majority of those present at that meeting.

## Section 2 – General Membership Quorum

Any action taken by a General Membership Meeting would be upon a simple majority of those present, except where otherwise herein specified.

# ARTICLE 14 – DISSOLUTION

The property of the Music Boosters is irrevocably dedicated to charitable and educational purposes and no part of the net income or assets of this organization shall ever benefit any Staff, Board member, or member thereof or any private persons. Upon dissolution of the association, its assets remaining after payment of, or provision for payment of, all debts and liabilities of this association, shall be distributed to the LHHS Music Department if it is then in existence and exempt under section 501(c)(3); but if it is not then in existence or exempt, to another organization which serves students of LHHS, is organized, and operated exclusively for charitable and educational purposes and which has established its tax exempt status under Section 501(c)(3) of the internal revenue code.

## ARTICLE 15 – AMENDMENTS TO BYLAWS

Additions or amendments to the bylaws must be presented in writing to the members one month prior to being voted on by the general membership. Any change in the bylaws must have the approval of the simple majority of the membership in attendance at the general membership meeting in order to become effective.

These bylaws were adopted as amended by Laguna Hills High School Music Boosters on November 1, 2016.

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Heath McMasters, Parliamentarian

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Julie Diaz, President

### REVISION LOG:

- April 15, 2015
- February 19, 2014
- September 10, 2008
- September 28, 2006
- September 24, 2002