



## **Laguna Hills High School Instrumental Music and Color Guard Boosters Association**

**A California Nonprofit Organization**

Revisions presented on November 12, 2020

Adopted on December 10, 2020

## **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 “Board”), 501(3)(c) # 33-0636188.

### **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, and 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 non-profit 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 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:

<b>EXECUTIVE Officers</b>	<b>AUXILIARY Board Members</b>
President	Auditor
Vice President	Parliamentarian
Secretary	Unit Coordinators (see Article 9)
Treasurer	Instrument & Equipment Manager
Banker	Communications Manager
	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 as 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) Music 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 a Board member leave the program and a replacement cannot be found, the Board member 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 and not intended to be all-inclusive. Additional duties may be assigned.*

## Section 1

### **PRESIDENT shall:**

- a. Oversee the work of the Board members, chairs, and committees.
- 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 Music Boosters including all meetings, performances, fundraising events, and other activities.
- f. Provide an authorized signature for all warrants in conjunction with the Instrumental Music Director. If the President is absent, then a signature by the Vice President, Secretary, or Treasurer is required.
- g. Act as liaison with LHHS 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.
- l. Be one of three (3) designees to check the Music Boosters' mailbox and distribute mail.
- m. Appoint an alternate authorized signer, in the event of vacancy in any of the designated positions of authorized signers, i.e., Vice President, Treasurer, and Secretary until such time as the vacancy is filled.

## Section 2

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

- a. Assist President as directed.
- b. Preside over meetings 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. Be one of three (3) designees to check the Music Boosters' mailbox and distribute mail.

## 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 Board for review and upon approval, the final version 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.
- h. Be one of three (3) designees to check the Music Boosters' mailbox and distribute mail.

## Section 4

### **TREASURER shall:**

- a. Be responsible for the handling and accounting of Music Booster funds.
- b. Keep permanent books of account and records as shall be sufficient to establish the items of gross income, receipts, and disbursements of the Organization.
- c. Present at the monthly meetings a Treasurer's Report consisting of 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.
- d. Pay all bills as authorized by the Board or general membership and on receipt of the authorization of payment.
- e. 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.
- f. 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.
- g. 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 three (3) years.
- h. Manage payment system accounts such as PayPal, Venmo, Zelle, Square, etc., as established by the Organization.
- i. Reconcile the monthly bank statement and promptly turn over to the Auditor when requested.
- j. Coordinate and delegate work to the Banker and Auditor as necessary.
- k. Complete year-end bookkeeping at the end of each school year.
- l. Prepare and file income tax returns and any required documents by registered mail before November 15, annually. If unable to perform this task, advise the Board immediately, and in conjunction with the Board, arrange for the services of an accountant or qualified party.
- m. Prepare and file the Non-Profit Information Statement by registered mail before December 31, annually.
- n. Renew the Organization's insurance policy prior to expiration on February 1, annually.

## Section 5

### **BANKER shall:**

- a. Deposit all monies for payment in the bank established by the Board and provide the Treasurer with a receipt for all such monies as required by the Organization, as well as a copy of the deposit slip.
- 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. Record all cash and check receivables on a receipt log with the date received and purpose noted prior to distribution to the Treasurer.

## 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. In coordination with the Treasurer, arrange for an audit by an independent party as deemed appropriate 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 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. 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 Music Boosters and ensure necessary insurance and registration is kept current.
- e. Keep an inventory and oversee maintenance of all property purchased by the Music 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 MANAGER**

**Communications Manager shall:**

- a. Manage the organization's digital media accounts, i.e., Facebook, Signup Genius, etc.
- b. Manage and distribute communication to Instrumental Music families as requested by the President and Instrumental Music Director.

- c. Liaise with ASB for posting relevant program information in Hawk Happenings as approved by the President and Instrumental Music Director.
- d. May have overlapping duties and works in conjunction with the Webmaster.
- 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 is a non-voting position. This student must be an actively participating Junior or Senior in one of the LHHS Instrumental Music ensembles and a member in good standing.

### **The Student Representative shall:**

- a. Liaise between the students in all music groups and the Board.
- b. Provide 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 the LHHS Instrumental Music website (lhhsmusic.org) with up-to-date information approved by the Instrumental Music Director and Music Boosters.
- b. Support the digital communication objectives of the Instrumental Music Director and the Music Boosters.
- c. Create event portals with ticketing and payment gateway as needed.
- d. In coordination with the President, maintain the Organization's "digital vault" of logon credentials and relevant account information.

# ARTICLE 10 – THE BOARD

## Section 1 – Composition

The Board shall consist of elected Executive Officers, appointed Auxiliary Board members, and the Instrumental Music Director. The Instrumental Music Director shall serve solely in an advisory capacity and is neither an Elected Officer nor Auxiliary member.

## 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 Board members 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. Additionally, the Board, in conjunction with the Instrumental Music Director, will be responsible for the decision

regarding the purchase of band equipment, loaning of Music 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 a 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 or 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 that the Organization may be unable to fully evaluate a vague or general complaint, report, or inquiry that is made anonymously.

## Section 5 – Miscellaneous

This section contains general guidelines and procedures as well as best practices:

- a. Designated authorized signers (President, Vice President, Treasurer, and Secretary) contact the Organization’s bank to secure their signatures on all checking and savings account signature cards and file with the bank immediately upon taking office.
- b. Individuals who are related by blood or marriage, or reside in the same household are prohibited from counting cash or checks for the Organization together.
- c. Authorized signers are prohibited from approving payments for reimbursements submitted by themselves or other individuals to whom they are related by blood or marriage, or residing in the same household.
- d. All logon credentials (usernames/passwords) for accounts owned by the Organization are to be listed in the Music Boosters’ confidential file, hence “Digital Vault,” which is maintained by the President and Webmaster.

## ARTICLE 11 – MEETINGS

### General Membership Association Meeting Time and Place

The General Membership or Association meetings of the Music 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 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 Music 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 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 Board members 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 the 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 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 Instrumental Music Boosters on December 10, 2020.

Mary-Alice Blanchard, President  
Leo Chua, Parliamentarian

REVISION LOG:

- December 10, 2020
- September 21, 2016
- April 15, 2015
- February 19, 2014
- September 10, 2008
- September 28, 2006
- September 24, 2002