

# BYLAWS

## DESERT VISTA THUNDER BOARD ASSOCIATION DESERT VISTA BAND BOOSTERS

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# BYLAWS

## Article I - Name and Address

### Name

Desert Vista Band Boosters

### School Address

16440 S. 32nd Street

Phoenix, AZ 85048

### P.O. Box

3145 E. Chandler Blvd.

Suite 110, Box 606

Phoenix, AZ 85048

## Article II – Purpose and Scope

### PURPOSE

The purpose of the Desert Vista Band Boosters shall be to provide moral, financial, and physical support to all curricular and extracurricular band related activities, to enhance school spirit and to constantly strive to improve fellowship and student-teacher-parent-administration relationships in compliance with Arizona State law, school board regulations, school administration policy, Thunder Board policies, student council, and band council recommendations.

### SCOPE

No part of the net earnings of Desert Vista Band Boosters shall inure to, or for the benefit of, or be paid to, its members, trustees, officers or other private persons, except that Desert Vista Band Boosters shall be empowered to pay reasonable compensation for the services rendered, and to make payments and distributions in furtherance of the exempt purpose for which it was formed.

Notwithstanding any other provisions of these articles, the Desert Vista Band Boosters shall not carry on other activities which are not permitted to be carried on by an association exempt from Federal Income Tax under Section 501, (C)(3) of the Internal Revenue Code (1954).

## Article III - Membership

### SECTION 1. Membership Classes

#### Voting Membership

- Regular Membership shall consist of all parents or guardians who have a student or students in the Desert Vista High School band program.

#### Non-Voting Membership

- Honorary Membership may be granted to any person as determined by the Executive Committee.

### SECTION 2. Meetings of the Membership

Regular members of the Desert Vista Band Boosters shall conduct no less than two (2) meetings per school year, one of which will include the annual meeting.

The executive committee of the Desert Vista Band Boosters shall conduct no less than three (3) meetings per school year.

Parliamentary Authority – Robert’s Rules of Order, newly revised will govern all membership and executive committee meetings in which they are applicable, and are not in conflict with these bylaws and Thunder Board bylaws.

### SECTION 3. Annual Meeting of the Membership

An annual meeting will be held during the spring semester for budget approval and executive committee elections. Other meetings may be held as needed.

## Article IV – Executive Committee

### SECTION 1. Voting Members

The voting members of the executive committee are: president, vice president, secretary, and treasurer.

Executive committee members (Officers) shall begin their term of office at the conclusion of the annual business meeting and serve for a one-year term.

Officers may serve up to a maximum of three consecutive terms if re-elected to a position. Upon completion of three consecutive terms in any officer position, an eligible member must be out of office for one full year before being elected to another position.

In the event that Article IX, Section 1, is exercised, and if any regular member does not accept appointment by the previous year’s executive board, the election committee may ask that officer to remain in that position for no more than one year, as long as that officer maintains regular membership per Article III, Section 1.

In the event that Article IX, Section 2 is exercised, the appointee will fill out the balance of that officer’s term, and may be elected to a full term after filling the vacancy.

## SECTION 2 Non-Voting Membership

In the event the executive committee approves of an assistant to the treasurer, that person may attend all executive committee meetings, and will not have voting privileges.

## SECTION 3 Ex Officio Membership

The Desert Vista band director is an ex officio member. The director shall be invited to attend all booster meetings and all executive committee meetings. Input may be solicited from the band director but he/she will not vote. Even though the band director is not a regular voting member of the executive committee, he/she does have ultimate responsibility for band activities and the well-being of band members.

## Article V -Duties of Officers

### SECTION 1. President

The president shall preside at all meetings of the executive committee and general membership, and shall have charge and control over the affairs of the organization, subject to the executive committee. See Article VII part 13.

### SECTION 2. Vice President

The vice president shall perform such duties as may be assigned him/her by the executive committee and/or the president. In case of disability or permanent absence of the president, he/she shall perform and be vested with all power and duties of the president. The vice president shall be responsible for coordination and oversight for the Sponsorship and Fundraising Committee activities. See Article VII part 13.

### SECTION 3. Secretary

The secretary shall record accurately the proceedings of all membership and executive committee meetings, and shall give meeting notices as required. The secretary shall have custody of all books, records and papers other than financial and membership. See Article VII part 13.

### SECTION 4. Treasurer

The treasurer shall keep accounts of all money received or disbursed by the organization, and shall deposit all money and valuables in the name of and credit to the organization in such banks and depositories as the executive committee shall designate. See Article VII part 13. The treasurer has the option to recommend the appointment of an assistant to the treasurer for approval by the executive committee.

### SECTION 5. Assistant to the Treasurer

In the event the treasurer recommends the appointment of an assistant that is approved by the executive committee, that person shall report directly to the treasurer. The assistant may perform administrative tasks as assigned by the treasurer, except for the signing of checks. The assistant may not be a signatory on the booster bank account(s). The assistant to the treasurer will be a non-voting member of the executive committee. In the event that the executive committee deems that there is a conflict of interest between the assistant and the treasurer, or that there is a lack of demonstrated fiducial responsibility, the assistant may be immediately relieved of their duties.

## Article VI – Committees

Established committees shall carry out specific assignments for which they were formed. It shall be the responsibility of these committees to plan and communicate with the band director and executive committee concerning their designated projects. All decisions regarding facility usage, agreements, commitment of funds and/or student body must receive prior approval from Executive Board and/or Band Director. Any monies raised shall be remitted to the band booster treasurer within ten business days of receipt. Booster activities and actions are guided by Thunder Board bylaws, policies and procedures. Student actions and school related activities are guided by Tempe Union High School District (TUHSD).

### SECTION 1. Committee Chairperson

The committee chairperson shall be a regular member of the band booster organization. Committee chairpersons may volunteer for consecutive one-year terms. In the event that a chair position is vacant, the executive committee shall have the power to appoint someone to fill the role. All committee chairs are volunteer positions.

The duties of a committee chairperson shall be to chair and coordinate the activities of that committee and communicate as needed with the executive committee for proper coordination of committee activities. The chairperson will document the processes and procedures of the committee to pass along to the next chairperson. Tenure of office for a committee chairperson shall cease upon the completion of the season or activity for which they may be responsible.

When committee chairs are handling money from the sale of goods, through fund raising activities or sanctioned travel activities, care should be taken to protect all parties involved. Where possible checks and electronic funds transfer should be used. An executive committee member and band booster member should count cash for verification purposes.

### SECTION 2. Standing Committees and Their Roles

Standing committees and their roles can be found on our website and in our policy and procedures document.

<http://thunderband.org/band-boosters-main/>

## Article VII -Finances

1. Prior to the annual spring business meeting, the executive committee shall coordinate with the band director to create the next fiscal year's operating budget. This budget shall be posted on the DVBB website for 14 calendar days for review and comment. The executive committee will then present the budget at the annual meeting for approval by the voting members of the band booster club. The budget will be used to determine the amount of fees charged and establish the goal for the fund raising committee. The budget template to be used will be provided by Thunder Board.

2. All devices used for payment; checks, debit card, electronic funds transfer or purchase orders for goods and services must be supported by original invoices or sales receipt.

3. Payments for goods and services exceeding \$5,000.00 (Five Thousand Dollars) must have written or electronic approval of the treasurer and one other member of the executive committee: president, vice president, or secretary.
4. In the event that a budget line becomes overrun, any additional money to be dispersed against the overrun budget line requires a written or electronic approval from the treasurer and one other member of the executive committee: president, vice president or secretary.
5. All checks for monies owed or donated to the organization should be made payable to Desert Vista Band Boosters ("DVBB" is also acceptable).
6. The executive committee, at its discretion, shall appoint an outside audit individual or audit organization to temporarily and briefly retain books and records for the purpose of auditing in June. The audit must be completed by the end of June.
7. The financial fiscal year shall be defined as July 1 through June 30, matching the fiscal year of the Desert Vista High School Thunder Board Association.
8. A minimum of \$100.00 (One Hundred Dollars) must be in the account at the close of the financial year.
9. In the event that this association shall be dissolved at any time in the future, the bylaws, policies and procedures of the Desert Vista Thunder Board Association shall be followed.
10. No officer or other member shall be entitled to receive any salary or compensation for services performed by them as such officer or member of the organization.
11. It is the responsibility of the treasurer and the executive committee that all Federal and Internal Revenue Service laws, rules and guidelines are followed. The treasurer shall keep record of all monies paid out to individuals who have been paid for services rendered and report them to the Desert Vista Thunder Board Treasurer for the creation and disbursement of 1099's. The treasurer is also responsible for filing timely financial reports to the Thunder Board treasurer to be reported to the IRS on form 990. This is to ensure compliance to maintain the charitable nonprofit organization's 501 C3 tax-exempt status.
12. The band director is responsible for providing to the treasurer any information pertaining to any expenditure out of the band's state tax credit fund.
13. The president, vice-president, secretary and treasurer shall be signatories on the Desert Vista Band Boosters bank account(s). To avoid conflict of interest, checks benefiting a particular student shall not be signed by an officer who is directly associated with such student. No two members of the same household may be signatories at the same time.

## Article VIII -Records

1. All records of this organization shall be maintained in such manner as to be orderly, legible and accessible. Pertinent records shall be neatly compiled for transfer to incoming officers. The band director is responsible for providing storage space for the appropriate retention of all booster records.
2. All financial records shall be maintained per minimal IRS requirements.

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3. All minutes of the membership and executive committee shall be maintained for a period of no less than two (2) years. Minutes shall be posted under the members only section on the DVBB website.
4. Originals and dated revisions of bylaws shall be maintained for the life of the Desert Vista Band Boosters.

## Article IX –Elections and Filling of Vacancies

### SECTION 1- Annual Elections

An annual election shall be conducted no earlier than February 1st and no later than May 31<sup>st</sup>.

### SECTION 2 – Permanent Absence

In the event of permanent absence of the president, the vice president shall ascend to the position of president.

In the event of permanent absence of any other officers, the president shall appoint a replacement with concurrence of the executive committee.

## Article X – Bylaw Amendments

Bylaw changes need to be submitted to the Thunder Board Officers for review and approval prior to being submitted to the Boosters for approval.

Any and all proposed amendments to the Bylaws of the organization may be presented and voted upon at any regular meeting of the membership.

The Bylaws may be amended or repealed by vote of a two-thirds majority of those members present at the meeting of which members have been notified by the president.

In the event that there is a conflict between the Desert Vista High School Thunder Board Association bylaws and the Desert Vista High School Band Boosters bylaws, the bylaws of the Thunder Board Association shall take precedence.

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## REVISION HISTORY

REVISION		CHANGE DATE
A	Article Nine (IX) – Elections and Filling of Vacancies: Change Section A, Paragraph two, ...”at the regular scheduled April business meeting.” To...”no earlier than the regular scheduled April Business meeting and no later than the regular scheduled May business meeting.”	04/09/2002
B	Bylaws revised and rewritten to reflect current business practices.	05/01/2012
C	Bylaws revised to reflect recommendations from and compliance to Desert Vista High School Thunder Board Association	05/13/2013
D	Revised to address a few phrasing and consistency issues.	04/12/2016
E	Changed section 5 from Past President to Assistant to the Treasurer. Removed all standing committee roles and added the website link with up to date information. Moved the executive committee elections to Feb. 1 in order for new board to shadow current board for easier transition. Removed reimbursements without receipt.	02/13/2019