

# FORT CHERRY RANGER BAND ASSOCIATION, INC.

## BYLAWS

### Article I: Name, Meeting Dates, Notice

#### Section 1 Name

The name of this organization is the Fort Cherry Ranger Band Association, Inc., referred to subsequently in these Bylaws as "FCRBA."

#### Section 2 Meetings

The meeting place shall be the Fort Cherry High School, located at 110 Fort Cherry Road, McDonald, PA 15057. Regular meetings of the FCRBA will be held the first Thursday of each month that school is in session, at 7:00 p.m. in the Band Room. If a meeting date must be changed, at least a seven-day notice must be given to the membership.

### Article II: Band Members

Band members shall consist of any student enrolled at Fort Cherry High School who is participating in the following:

- a. Concert Band
- b. Marching Band
- c. Drill Team
- d. Majorettes
- e. Managers
- f. Flag and Banner Carriers
- g. Students selected by the Band Director for a specific duty

All band members will be referred to subsequently in these Bylaws as "the Band."

### Article III: Association Members

FCRBA members shall consist of:

- a. Parents and/or guardians of band members
- b. Any person over the age of 18 who is interested in the Fort Cherry Band

Membership shall be available to any eligible person regardless of race, color, creed, or national origin.

### Article IV: Purpose

The purpose of the FCRBA is to:

- a. Promote the welfare of the Band
- b. Give moral and social support to the Band
- c. Help the Band raise money for trips and other band-related items

- d. Keep and maintain records
- e. Promote communication
- f. Govern the FCRBA organization

This organization is organized and operated exclusively for charitable and educational purposes within the meaning of 501(c)(3) of the Internal Revenue Code.

Upon dissolution of this organization, its assets shall be disposed of exclusively for the purposes of the corporation or distributed to such organizations organized and operated exclusively for charitable purposes which shall, at the time, qualify as exempt organization under section 501(c)(3), or shall be distributed to the federal government, or to a state or local government, for a public purpose.

No part of the net earnings of the corporation shall inure to the benefit of or be distributed to any director, employee or other individual, partnership, estate, trust or corporation having a personal or private interest in the corporation. Compensation for services actually rendered and reimbursement for expenses actually incurred in attending to the affairs of this organization shall be limited to reasonable amounts.

No substantial amount of the activities of the organization shall be the carrying on of propaganda, or otherwise attempting to influence legislation and this organization shall not intervene in (including the publishing or distributing of statements) any political campaign on behalf of or in opposition to any candidate for public office.

#### **Article V: Basic Policies**

- a. The FCRBA shall be noncommercial, nonsectarian, and nonpartisan.
- b. The FCRBA name or the names of any members in their official capacities shall not be used to endorse or promote a commercial concern, in connection with any partisan interest, or for any purpose not appropriately related to the promotion of FCRBA and/or the Band.
- c. FCRBA may cooperate with other organizations, but persons representing FCRBA in such matters shall make no commitments that bind them, unless agreed upon by the FCRBA Executive Board.
- d. No part of the net earnings of FCRBA shall be used to benefit or be distributed to its members, directors, officers, or other private parties. FCRBA shall be authorized and empowered to pay reasonable compensation for services rendered.
- e. No member or officer of FCRBA may make any decision regarding money, compensation, services, etc. without the approval of the FCRBA Executive Board.
- f. No committee shall have the power to make a final decision or make any expenditure without a vote at the next regular meeting. The exceptions to this

would be emergency or time constraint. In such case, the FCRBA Executive Board would render a timely decision.

- g. No compensation or reimbursements will be made without a receipt and will be made by check only.
- h. Any executive officer making a payment to him/herself must pay by check as proof of payment.
- i. It is the practice of FCRBA to gift any newly designed t-shirt and sweatshirt to the Band Director(s).
- j. In the event of a dissolution of FCRBA, and after payment of any and all debts and obligations, remaining assets shall be distributed to one or more non-profit funds agreed upon by FCRBA membership.

### **Article VI: Articles of Organization**

The FCRBA Bylaws have been approved by a majority vote of the membership.

### **Article VII: Amendments**

Amendments to FCRBA Bylaws must be supplied to all members 30 days prior to the voting meeting. Anyone may make a proposed change in writing at a regular meeting, but the amendment will not be voted upon until the required notice has been provided to members. The FCRBA Bylaws may be amended by a majority vote of the members present at the voting meeting.

### **Article VIII: Membership**

#### **Section 1 Membership Voting**

Each member in good standing shall be entitled to one vote on each matter submitted to a vote of the membership.

#### **Section 2 New Members**

A new booster member may be admitted at any time during the school year.

#### **Section 3 Termination of Membership**

Officers or general members who do not abide by FCRBA Bylaws can be removed from membership by a majority vote of the Executive Board.

#### **Section 4 Resignation**

Any member may resign by filing a written resignation with the Secretary.

#### **Section 5 Reinstatement**

Upon a written request from a former member (filed with the Secretary), the Executive Board may, by the affirmative majority vote, reinstate such former member to membership on such terms as the Executive Board deems appropriate.

## **Section 6 Transfer of Membership**

FCRBA membership is not transferable or assignable.

## **Section 7 Voting to Dissolve FCRBA**

In the case of voting to dissolve FCRBA, each voter shall have been a member for at least 90 days.

## **Article IX: Offices and Elections**

### **Section 1 Eligibility for Office**

- a. Candidates for FCRBA office must be 18 years of age or older.
- b. Each candidate shall have been an FCRBA member for at least one calendar year; this requirement may be waived upon special circumstances.

### **Section 2 Offices and Election Schedule**

- a. FCRBA offices shall consist of President, Vice President, Secretary, and Treasurer, and comprise the Executive Board.
- b. Officers shall be elected at the April meeting preceding the term-of-service school year.
- c. If there is only one nominee for any office, election for that office may be by oral vote of the membership present at the April meeting.
- d. Officers shall assume their official duties as of June 1 of the election year and shall serve a term of one year, or until their successors are elected.
- e. An officer shall not be eligible to serve more than two consecutive terms in the same office. This may be waived by the Executive Board and membership if there is no one else to serve in that same office.

### **Section 3 Nominating Committee**

- a. The Nominating Committee shall be comprised of three FCRBA members.
- b. The Nominating Committee shall nominate eligible persons (*see Section 1. b. of this article*) for each office to be filled and report the nominees at the regular meeting in March, at which time additional nominations may be made from the floor.
- c. Only those persons who have signified their consent to serve shall be nominated for or elected to office.
- d. If members are not available to act as a Nominating Committee, nominations will be made from the floor at the March meeting and accepted via email or written communication up to the date of the regular April meeting.

### **Section 4 Vacancy of Office**

A person elected by a majority vote of the FCRBA shall fill a vacancy occurring in any office for the remaining term. In the case of a vacancy occurring in the office of President, the Vice President shall serve until the election. In the case of a vacancy occurring in the offices of both

President and Vice President, the Treasurer shall serve until the election. In the case of vacancy occurring for all offices, an emergency meeting will be held at the time of vacancy and new officers will be elected as per Sections 1, 2, and 3 of this article.

## **Article X: Duties of Officers**

### **Section 1 President**

The President shall preside at all FCRBA and Executive Board meetings, and shall coordinate the work of the FCRBA officers and committees to meet objectives. The President shall also be an ex officio member of all committees, with the exception of the Nominating Committee.

### **Section 2 Vice President**

The Vice President shall act as an aide to the President and shall perform the duties of the President in the absence or incapacity of that officer.

### **Section 3 Secretary**

The Secretary shall record the minutes of all FCRBA and Executive Board meetings, handle all correspondence, and shall perform other duties as delegated by the President. A copy of meeting minutes shall be distributed to each officer and member at least one week prior to the next regular meeting.

### **Section 4 Treasurer**

The Treasurer shall:

- a. Keep custody of the FCRBA funds
- b. Keep a full, accurate account of receipts and expenditures
- c. Make disbursements in accordance with the budget adopted by the FCRBA and as authorized by the Executive Board or by vote of the membership.
- d. Prepare an annual budget
- e. Present a financial statement at each and every meeting
- f. Create and keep a full, accurate account of earnings from fundraisers and any money deposited by student, parent, or guardian
- g. File applicable federal, state, and local tax documentation

Any money turned over to the Treasurer must be deposited in the Association account within a reasonable amount of time.

## **Article XI: Fundraisers and Sales**

### **Section 1 Determining Fundraisers**

Fundraisers and sales will be decided upon by a majority vote at regular FCRBA meetings.

### **Section 2 Fundraiser and Sale Approvals**

The chairperson of the Fundraising Committee or designated officer shall obtain all necessary school and/or school board approvals.

### **Section 3 Non-payment Penalties**

Students must turn in all fundraiser monies to FCRBA by the designated date.

- 3.1 In the event of a returned check due to insufficient funds, a returned check fee will be assessed and all future fundraiser payments for that student must be paid in full with cash or money order at the time the order is placed.

### **Article XII: Association Account**

#### **Section 1 Creation and Maintenance of the Association Account**

The FCRBA Treasurer shall create and maintain an Association account with oversight by the Executive Board.

#### **Section 2 Sources of Monies for the Association Account**

The FCRBA account shall consist of monies from sales, designated profits from Fundraisers (*see Article XI, Section 1*), private donations, performance monies, and profits from concessions.

#### **Section 3 Approved Uses for Association Account Money**

Association account expenditures can include operational items not covered by the district, supplies that benefit the Band, office supplies/postage for FCRBA operation, senior gifts, start-up change for concessions, and other expenses designated by the Executive Board.

- 3.1 The FCRBA account shall be audited every year by impartial parties (non-FCRBA members). The audit parties shall be named at the April meeting and voted on by members. The audit shall be performed at the end of the fiscal year defined in Article XIV. The audit will be performed after all bills have been paid and before the incoming Officers are permitted control of the Association account.

### **Article XIII: Concessions**

#### **Section 1 Start-up Money**

Start-up change for any FCRBA concession activity shall come directly from the Association account.

#### **Section 2 Concession Volunteers**

Based on district policy, only FCRBA members with district-required clearances will work concessions.

- 2.1 The following district-required clearances must be obtained and filed with the district before participation in FCRBA concessions:

- a. Act 151 - Child Abuse Clearance
- b. Act 114 - FBI Fingerprint Clearance
- c. Act 34 - Criminal Record Clearance
- d. Act 24 Arrest/Conviction Report and Certification

More information is available on the Fort Cherry District website at [fortcherry.org](http://fortcherry.org).

**Section 3 Concession Money Count**

Money counts must be made at the end of the event by at least two FCRBA members and submitted to the Treasurer or designated officer with a signed receipt.

**Article XIV: Fiscal Year and Budget**

**Section 1 Fiscal Year Dates**

The FCRBA fiscal year shall be June 1 through May 31, inclusively.

**Section 2 Annual Budget**

The Treasurer, in conjunction with the Executive Board, will prepare a draft budget to be reviewed at the April meeting. The budget will be voted on by the Executive Board and general membership at the regular meeting in May.

**Article XV: Chaperones**

Based on district policy, only FCRBA members with district-required clearances can act as chaperones during games and Band trips.

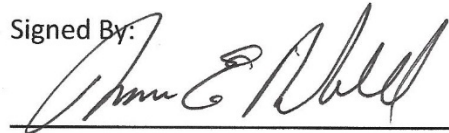
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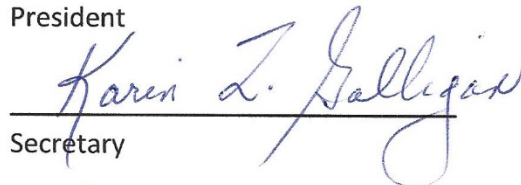
More information is available on the Fort Cherry District website at [fortcherry.org](http://fortcherry.org).

These FCRBA Bylaws have been amended and approved on May 12, 2016  
by FCRBA members present at the voting meeting.

Signed By:



President



Secretary

May 12 2016  
(Month) (Day) (Year)