

# By-Laws of the Lassiter Band Booster Association, Inc.

## ARTICLE I: INCORPORATION

**SECTION 1.** The corporate name of the organization is LASSITER BAND BOOSTER ASSOCIATION, INC. For purposes of these By-Laws, Lassiter Band Booster Association, Inc. may be referred to as the "Association".

**SECTION 2.** The principle office and place of business of said corporation shall be 2601 Shallowford Road, Marietta, GA 30066. The corporation may establish and maintain an office or offices at such other places, either within or without the State of Georgia, as the Board of Directors may from time to time determine.

**SECTION 3.** The fiscal year may begin at 12:01 A.M. on the first day of June and end at midnight on May 31.

## ARTICLE II: OBJECT AND PURPOSE

**SECTION 1.** The object and the purpose of the Association shall be:

a) As a parent-teacher organization, to promote ways and means of providing for the needs of the Lassiter High School Band Program, above those supplied by the Cobb County School System. The Association shall seek neither to direct the administrative activities of the band program nor control its policies. Rather, the Association shall support and implement the programs and policies recommended by the Director of Bands.

b) To have, but not be limited to, all the rights, powers, privileges, and immunities now or hereafter enumerated in Title 14 of the Code of Georgia as it may be hereafter given by law, or as now or hereafter may be enjoyed by a like non-profit organization, as those enumerated above, and said powers are made a part hereof to the extent as if they were quoted herein.

**SECTION 2.** This Association shall not contemplate pecuniary gain or profit or distribution of profits or dividends to the members thereof.

**SECTION 3.** No member of this Association shall be liable for any of the debts of the Association, except as such a member may personally endorse or guarantee such debt of the Association.

**SECTION 4.** This Association shall possess all the powers granted by law to any corporation in the execution of its purposes described herein.

## ARTICLE III: MEMBERSHIP

**SECTION 1.** All parents or guardians of Lassiter Band students, past and present, are members of the Association.

**SECTION 2.** By submission of a membership registration form to the Secretary, additional interested persons from the community at large may become members of the Association with full rights of membership.

**SECTION 3.** Only parents or guardians of current Lassiter Band students are eligible to serve as Executive Officers or Chairpersons of standing committees.

## **ARTICLE IV: BOARD OF DIRECTORS**

**SECTION 1.** The Board of Directors shall consist of the Executive Officers of the Association as described in Article V of these by-laws, and the chairpersons of the Standing Committees as described in Article VII of these by-laws. The Band Directors, a school administrative representative, the immediate past President (or Co-Presidents), and the Band President (or Co-Presidents) or representative will be non-voting ex-officio members. The Board of Directors shall consist of not less than four (4) members.

**SECTION 2.** Each member of the Board of Directors (as defined in Section 1 above) shall have one vote. Voting members of the Board of Directors shall include the Executive Officers and chairpersons of the standing Committees as set forth in Article V, Section 1 and Article VII, Section 2 hereof.

**SECTION 3.** The Board of Directors shall make recommendations to the membership for the establishment of policy and control of the operation of the Association.

**SECTION 4.** Term of office of the Board of Directors shall be one (1) year commencing June 1. The executive officers of the Association, as described in Article V of these by-laws, shall be elected at the April meeting of the membership. The outgoing Board of Directors shall attend without vote a joint meeting with the newly elected and constituted Board of Directors. This joint meeting shall be held between June 1 and June 15.

## **ARTICLE V: EXECUTIVE OFFICERS**

**SECTION 1.** The Executive Officers of this Association shall be President (or Co-Presidents), Vice President (or Co-Vice Presidents), Secretary, and Treasurer (or Co-Treasurers); and no two such offices shall be held by the same person concurrently. For definitive purposes, each office (not officer) represents one (1) member of the Board of Directors. As used herein, the officers shall be referred to singularly, whether their office is held severally or jointly with a co-officer.

**SECTION 2.** The President should have been a member for at least one year and been involved in band activities. The Vice President should be involved in band activities and ready to assume the duties of the President. The Secretary should have capability of recording and maintaining accurate records of all meetings. The Treasurer should have a working knowledge of basic bookkeeping or generally accepted accounting procedures.

**SECTION 3.** The Executive Officers of the Association shall be elected by plurality of the members of the Association present at the April meeting. Officers shall hold office for one (1) year, commencing June 1, or until their successors are elected.

**SECTION 4.** A vacancy in any office shall be filled by election, held at the next regular meeting upon the occurrence of such vacancy, unless all of the offices become vacant by reason of rescission, in which event the vacancy shall be filled at the same meeting by which the vacancies were created. A vacancy exists when any officer resigns his or her office or is removed by recall or rescission.

## **ARTICLE VI: DUTIES OF THE EXECUTIVE OFFICERS**

**SECTION 1.** The President is accountable to the membership of the Association for the actions of the Board. The actions of the Vice President, Treasurer, and Secretary in the execution of their duties must therefore be accountable to the President.

**SECTION 2.** The President shall preside at all meetings of the Lassiter Band Booster Association, Inc. and of the Board of Directors, shall call meetings as provided in these by-laws, and shall be an ex-officio member of all committees. The President should be represented at all activities. If unable to attend an activity, the President may appoint a representative from the Board of Directors. The President shall appoint a committee for the purpose of nominating a slate of executive officers for the following school year in accordance with the standing

rules for the nominating committee, which are attached hereto and by reference incorporated herein.

**SECTION 3.** The Vice President shall perform the duties and exercise the powers of the President in the absence of the President and shall perform such other duties as may be assigned from time to time by the President.

**SECTION 4.** The Secretary shall record and affix the seal of the organization to the minutes of all meetings and the proceedings of the membership and the Board of Directors and shall perform such other duties as may be assigned from time to time by the President.

**SECTION 5.** The Treasurer shall be familiar with the finances of the Association, shall give a brief report, approved in advance by the President, at least once each month to the membership and the Board of Directors regarding financial condition of the Association, shall be responsible for the receipt and disbursement of all funds of the Association, the timely filing of all required tax forms in accordance with governing law, and shall perform such other duties as may be assigned from time to time by the President. The President and the Treasurer shall co-sign all checks for disbursement of funds. The Treasurer should oversee and account for all monies collected, and as well shall oversee Student Accounts. All information concerning student accounts, student payments, individual salaries paid by the Association to independent contractors or instructors, or the personal financial status of any member of the Association shall remain confidential, with such information to be imparted only to the President and the Director of Bands, except as set forth in Article 12, Section 1 hereof.

**SECTION 6.** The President shall be empowered to conduct the day-to-day business of the Association on behalf of the Board of Directors between meetings, so long as such acts are reported to the Board of Directors at its next meeting. Should any such action require the expenditure of Association moneys, such expenditure must have been included in the annual budget approved by the Membership.

## **ARTICLE VII: COMMITTEES**

**SECTION 1.** As deemed necessary on an annual basis by the President, there shall be the following standing committees with chairpersons appointed and duties designated by the President:

1. Alumni
2. Chaperone
3. Digital Media
4. Equipment
5. Guard
6. Hospitality
7. Uniforms
8. Ways & Means
9. Volunteer

**SECTION 2.** For definitive purposes, each committee (not committee member, committee chairperson or co-chairperson) represents one (1) member on the Board of Directors.

**SECTION 3.** Each committee consisting of more than one person shall appoint a secretary for that committee to keep meeting notes or minutes and provide copies of same to the Secretary of the Board of Directors on a monthly basis.

## ARTICLE VIII: MEETINGS

**SECTION 1.** Regular meetings of the membership shall be held each month at the principle office. Notice of a temporary change of customary meeting time and/or place shall be set by the President. Notice of regular meetings shall be published in advance via a membership email blast.

**SECTION 2.** Special meetings of the membership may be called at any time by the President. Notice of the meeting shall be given to the membership not less than two days prior to such meeting, stating the time, place, and the purpose of the special meeting.

**SECTION 3.** Members may request a special meeting by written request to the President. Such request shall set forth the purpose for which such meeting is requested and the Board of Directors shall make a determination as to the validity of such request. Any meeting so requested shall be limited to the purpose set forth in the request.

**SECTION 4.** Members present shall constitute a quorum for the transaction of business at regular and special meetings.

**SECTION 5.** ROBERT'S RULES OF ORDER, NEWLY REVISED shall govern all meetings when not inconsistent with these by-laws.

**SECTION 6.** Meetings of the Board of Directors shall be held on the call of the President, or upon written demand to the President by any two (2) offices (i.e., as opposed to Officers) of the Board of Directors, at least ten (10) days in advance.

**SECTION 7.** Fifty-one percent (51%) of the Board of Directors shall be necessary to constitute a quorum for the transaction of business at the meetings of the Board of Directors. Where no quorum is present, any action which might properly be taken at a meeting of the Board of Directors may be taken and shall be valid if approved and signed by the majority of the members of the Board of Directors within five (5) days after the date of such meeting or motion.

**SECTION 8.** Meetings of all committees shall be held as necessary for the performance of the duties of each committee. All committees should submit a copy of their minutes to the President and Secretary for inclusion in the Board Meeting Minutes as set forth in Article VII, Section 3 hereof.

## ARTICLE IX: REMOVAL/RECALL

**SECTION 1.** Removal by the Board: As set forth in the Georgia Corporations Code, O.C.G.A. § 14-3-843, an officer may resign at any time by delivering notice to the corporation. A resignation is effective when the notice is effective unless the notice specifies a future effective date. If a resignation is made effective at a future date and the corporation accepts the future effective date, the Board of Directors may fill the pending vacancy before the effective date if the Board provides that the successor does not take office until the effective date. Further, the Board of Directors may remove any officer at any time with or without cause, by motion and majority vote, and any meeting of the Board of Directors.

Recall by the Membership: In the event a petition asking for the recall of any officer and signed by at least one-third of the current membership of the Association is delivered to the President, Vice President, or Secretary, the membership shall be notified of the recall petition at the next regular meeting, at which time a secret ballot vote shall be held. For purposes of this subsection only, "current membership" shall mean the number of households listed in the current year's membership directory. Only one signature per household shall count on such petition. If the recall vote is affirmative by a majority of the members present and voting, the officer shall be immediately recalled.

**SECTION 2.** In the event of recall of the entire slate of officers, the Band Directors, as ex-officio members of the Board of Directors, shall preside over the election of a new slate of officers at the same meeting.

## **ARTICLE X: EQUIPMENT OWNERSHIP**

Title to all equipment purchased by the Association will be transferred to the Cobb County Board of Education.

## **ARTICLE XI: SPHERE OF ACTIVITY**

**SECTION 1.** For the purpose of definition, "Lassiter High School" shall be defined as "that institution of secondary education designed and designated by the Cobb County Board of Education.

**SECTION 2.** In the event that the school should be closed or changed from an academic curriculum, the Association shall be dissolved.

**SECTION 3.** In the event of circumstances stated in Section 2 of this Article, ownership of equipment and monies on hand shall revert to the Cobb County Board of Education.

## **ARTICLE XII: MISCELLANEOUS**

**SECTION 1.** All books, records, and minutes of the Association shall be open to inspection at any reasonable time by any member. Any request for such review shall be made in writing, not less than five (5) days in advance of the requested review, to the Board of Directors. The Board of Directors shall confirm that the request made is in compliance with the Georgia Non-Profit Corporation Code as set forth at O.C.G.A. § 14-3-1602, and the Board of Directors shall direct the Secretary and/or Treasurer to provide such records as it deems appropriate. No records shall be given by the Secretary or Treasurer to any individual or member without prior authorization by the Board of Directors.

**SECTION 2.** All members shall be requested to keep the Secretary informed as to their latest mailing address, email address and telephone number.

**SECTION 3.** At the meeting closing the fiscal year, the annual financial report of the Association shall be given by the Treasurer. The Treasurer shall perform an annual review of the financial records of the Association. Should an independent review by a certified public accountant be necessary, the LBBA Board may authorize such review. The cost of the audit would require budget approval.

**SECTION 4.** Standing rules direct the administration of the Association. A standing rule may be added, deleted, or changed by a majority vote at a regular meeting of the membership. A list of the current standing rules is attached following the by-laws.

**SECTION 5.** For purposes of simplicity of language only, all references which may be gender specific shall be designated herein as "he" or "his".

## **ARTICLE XIII: AMENDMENTS**

**SECTION 1.** After review by the Board of Directors, the by-laws of this Association may be amended or rescinded, or new by-laws adopted only at a regular meeting by the affirmative vote of two-thirds (2/3) of the members present and voting, and only after notice of proposed action shall have been given at a previous meeting.

**SECTION 2.** Since the by-laws of the Association must not be in conflict with Federal or State Constitutions, Federal or State law, any substantive amendment or revision to these by-laws will be referred to legal counsel for review and approval.

End of By-Laws

## **STANDING RULES**

- I. UNIFORM REGULATIONS AND CARE – EXHIBIT A
- II. STUDENT ACCOUNTS – EXHIBIT B
- III. NOMINATING COMMITTEE – EXHIBIT C

## **STANDING RULES – UNIFORM REGULATIONS AND CARE**

August 21, 2014

### **Student Fees, Fines (Policy JS: Paragraph C – High Schools No. 5)**

1. A band uniform fee is set at one hundred dollars (\$100.00) for high school students in band to be used in the purchase and maintenance of the uniforms, which are used on a multi-year basis.
2. Discretion should be used to protect those students unable to pay, and this inability should not exclude a student from performance.
3. The intent of the policy is to permit the sharing of a burden, which might have been borne by a few diligent fund raisers within a band booster club.
4. The LBBA Board of Directors will set the uniform fee annually.

### **General Rules**

1. Any accessory (Banner Shirt, Hooded Sweatshirt, Gloves, Marching Shoes, etc.) without a name that is lost, becomes the property of the Uniform Committee, and the student will have to purchase a new one.
2. Borrowed uniform parts are to be turned in at the end of the activity.
3. Encourage students to keep up with the uniform parts and to always report to all activities requiring uniforms with everything needed.
4. Uniforms will be turned in clean or according to the guidelines established by the Uniform Committee.
5. Prompt return of the assigned uniform at the end of the marching season, transfer, or termination with the band, and at any time requested is expected. Grades may be withheld until these conditions are met.

### **Uniform Information**

The Lassiter Band Members and Staff are proud of the band's appearance. To maintain this appearance, it is imperative that each band member treat his uniform with the utmost respect and care at all times. Below are the lists of procedures describing the care and usage of the various uniform parts. Read these instructions carefully, as your care of the uniform is vital to maintain the condition of the uniform pieces.

The Lassiter Band uniform consists of:

- Jacket – White and burgundy.
- Gauntlets – White with gold trim.
- Trousers – Black (also known as "Bibbers").
- Shako – Burgundy cloth with vinyl brim.

The uniform committee cleans the uniform ONLY. Collection dates will be announced and all uniforms will be cleaned together to insure proper care. It is each student's responsibility to turn the uniform in on the appropriate date. You are not allowed to clean the uniform on your own. If, however, the student gets a noticeable stain on the white jacket, please notify the Uniform Committee as soon as possible.

The cost of replacement parts for the uniform are:

Jacket.....	\$125.00
Gauntlets.....	\$40.00
Trousers (Bibbers).....	\$70.00
Garment Bag.....	\$12.00
Shako.....	\$40.00
Plume.....	\$12.00
Shako Box.....	\$10.00

Each student will own:

- Uniform T-shirt (aka "Banner Shirt")
- Band Sweatshirt
- White Gloves (All except percussion)
- Black Marching Shoes (Plain toe, tie up)
- Black Socks
- Maroon Garment Bag
- Heavy Duty Hanger
- Sousaphone Players Only: Maroon Beret

Proper Wear

- **Jacket:** The uniform jacket is to be worn full zipped at all times unless otherwise indicated by the Band Directors.
- **Trousers (Bibbers):** Trousers are to be worn so that the pant leg creases hang without a break (no piling up on the shoes). The length will come to approximately the second eyelet on the shoes. Hems are to be made using matching black thread and absolutely NO cutting and NO pinning is allowed. Adjustments must be made prior to the first performance.
- **Shako:** The shako is issued in a plastic box in which it should be kept whenever it is not worn. The box must be used when transporting the shako as well as when storing it at home. The string at the top of the shako should be used to adjust the position of the shako on the head. The brim should rest the width of two fingers above the bridge on the nose. The chinstrap must be worn snugly under the chin. There must be NO hair hanging from under the shako.
  - **Shako care:** Be sure the shako is thoroughly dry and free from any excess moisture and sweat before storing. When removing the shako from the head, always lift with both hands on the sides above the ears in order to prevent damage to the brim. Never hold the shako by the brim. It is a good idea to place a dryer sheet in the shako when stored. Leave the box open for at least 24 hours to ventilate.

Personal Maintenance

Pride prevents the Lassiter Band from marching in wrinkled uniforms. The uniform will be issued on a wooden hanger. Use this hanger after every wearing to air out the unzipped jacket. The jacket must be hung to air out. Hang the pants by the creases on a separate padded pants hanger to air. It is essential to air out the uniforms for 24 hours after each wearing, including the shako, before storing.

If pressing of the uniform is necessary, use a pressing cloth and LOW heat to prevent fabric shine and scorching.

The following items of the uniform must be washed each week: white gloves, black socks, and banner shirt.

Every uniform piece has a barcode that is scanned in the computer when assigned and returned. When assigned, the student's name is pinned into each piece for easy identification. An adhesive label is placed inside the shako.

Tuba players are not assigned a shako. They are responsible for purchasing the appropriate maroon beret. They will be advised by the section leader/band director on this purchase.



## STANDING RULES – STUDENT ACCOUNTS

### PURPOSE

The purpose and intent of Student Accounts shall be to assist the individual band student with record keeping of his/her expenses, payments, and fundraising credits related to participation in the Lassiter Band.

### ELIGIBILITY

All band students are eligible to earn credit to their Student Account, which may be used toward specific expenses.

This credit is not payable in cash, but may be applied to one or more of the following Band related fees:

1. Transportation expenses (excluding private vehicles)
2. Band Camp
3. Any social event or trip sponsored by the Lassiter Band Booster Association\
4. Uniform rental fee
5. Purchase or replacement of uniform and/or uniform accessories for which the student is responsible
6. School-owned instrument or instrument accessory rental
7. Costs related to maintenance, repair and replacement of instruments (both school and personally owned) and music
8. Any band related expense approved by the LHS Band Directors

Student Accounts are not transferable except for:

1. Involuntary transfer to within Cobb county and upon written request from a comparable organization or official of another school certifying the student's participation in the band program.
2. Students have the option, upon graduation, of transferring their student account balance to a new student account for a concurrent or immediately incoming band student who is a member of their immediate family. This transfer is valid only for new students entering the band program the semester after graduation of the previous student.

Students voluntarily or involuntarily terminating from the Lassiter Band, except transfers noted above, relinquish all rights to their Student Account and the balance will be transferred to the General Fund or to the Financial Aid for Needy Students (FANS) account.

### STUDENT BAND ACCOUNT BALANCES

1. Students may remit payments directly toward student account balances via cash, check, money order or credit card (PayPal).
  - a. If a check is returned due to insufficient funds, the student's band account will be charged with the bank fees and the original charges will be added back to the student's band account.
  - b. If payment is made via credit card (PayPal), the student's band account will be charged a nominal fee to cover the credit card fees.
2. Student band accounts must be paid in full by the end of each school year unless other arrangements have been agreed to with the President.
3. Students who have a signed Payment Plan agreement on file will not be eligible to receive assistance toward their student band account from the general fund, through the FANS account or write-off. Exceptions must be approved by the President.
4. A student who received full or partial credit toward their student account balance through the general fund, through the FANS account or through a write-off, may not be eligible to have their student band account settled (fully or partially) through the general fund, FANS account or write-off for a second or

subsequent school year without having made an effort to earn credits or remit payments toward their student account. Exceptions must be approved by the President.

#### INDIVIDUAL STUDENT FINANCIAL LEDGERS

Individual Student Financial Ledgers shall be maintained showing all payments made, balances due, and student account information for each student who is a member of the Lassiter Band.

All Individual Student Financial Ledgers shall be kept confidential and are not considered a part of the Accounting Records of the Lassiter Band Booster Association.

## **STANDING RULES – NOMINATING COMMITTEE**

### **GUIDELINES FOR COMMITTEE APPOINTMENTS**

The Nominating Committee is appointed by the LBBA President.

The LBBA President shall appoint a Nominating Committee Chairperson, to be a non-voting committee member, with the exception of when the chairperson's vote would affect the results, either in the affirmative or negative, according to Robert's Rules of Order.

It is recommended there be five committee members chosen to serve on the committee.

The members of the Nominating Committee should have been active in the LBBA for a minimum of two years, and/or involved on committees, or a member of the Board of Directors.

It is recommended that the committee shall be represented by a wide range of active members from various committees so that a well-rounded committee is appointed.

A committee member may not seek elected office. If a committee member should be selected for possible nomination to elected office, that member must resign from the committee and the President shall appoint a new member.

No member may serve on the nominating committee for two consecutive years.

**CONFIDENTIALITY OF ALL COMMITTEE DISCUSSIONS REGARDING ALL POTENTIAL NOMINEES IS REQUIRED OF ALL COMMITTEE MEMBERS.**

The Nominating Committee shall be announced at the January general membership meeting, and solicitation for nominations should be made at that time.

Any recommendations of nominees for office should be turned in to the committee chairperson prior to the February board meeting.

### **GUIDELINES FOR NOMINATIONS**

The committee chairperson shall provide to the Nominating Committee a list of all band parents, sorted by class, to ensure that every band parent is given due consideration.

Article V, Section 2 of the LBBA By-Laws should be followed in selecting candidates. In addition to those provisions, it is recommended that the committee nominate a President who has both the time and the flexibility to serve.

All executive officers should have people skills in order to promote teamwork within the LBBA and fulfill the LBBA mission.

All members nominated for executive office must be in good standing with the LBBA.

## PROCEDURES ONCE SLATE OF NOMINEES HAS BEEN SELECTED

1. The committee chairperson should present the slate of nominees for approval to the Lassiter Band Director(s).
2. The committee chairperson is then to contact nominees for their acceptance of the nomination for office.
3. The slate of nominees should be presented at the March Board Meeting for approval. A special board meeting may be called by the LBBA President, if necessary, to approve the slate of nominees.
4. The slate of nominees is then presented at the general membership meeting in March.
5. It should be announced at the March general membership meeting that nominations will be taken from the floor at the April general membership meeting, but names must be submitted in advance for approval by the Band Director(s) and the nominee(s).
6. At the April general membership meeting, the LBBA President shall ask for the committee chairperson to place the slate of nominees in nomination. The election shall be held according to Robert's Rules of Order.

## REFERENCE TO LBBA BY-LAWS

The Nominating Committee should be familiar with the following sections of the LBBA By-Laws as they pertain to the nomination and election process and the positions to be filled: Article V, Article VI, and Article VII.