

AUSTINTOWN BAND PARENTS CLUB, INC.

BY-LAWS

As Modified and Approved in General Membership Meeting April 22, 2014

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ARTICLE I: NAME

AUSTINTOWN BAND PARENTS CLUB, INC. will be the designated name of this Organization.

WHEREAS: It is a non-profit corporation of the State of Ohio, Incorporated June 7, 1977 under Section 1702.01 of the Revised Code of Ohio.

WHEREAS: It is a corporation for all Instrumental Music Departments of the Austintown Local Schools from Grades 5-12.

WHEREAS: It is a corporation for all Alumni of the Instrumental Music Department of the Austintown Local Schools.

DEFINITION:

Throughout this Constitution, any reference to Austintown Band Parents Club, Inc. will be designated as "This Organization"; Throughout this Constitution, any reference to "Chairman" or "Committeeman" will be interpreted as "Person".

ARTICLE II: PURPOSE

Section 1: To enhance the educational development of Austintown Local School Students through participation in instrumental music education and activities associated therewith.

Section 2: To provide support, both moral and financial to the extent possible, to all band activities.

Section 3: To co-operate with those leaders in charge of the Instrumental Music Department, the School Administration and the School Board of the Austintown Local School District so that this department may be developed to the highest degree of excellence.

Section 4. The corporation is organized and will be operated exclusively for charitable and educational purposes within the meaning of 501(c)(3) of the Internal

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Revenue Code. (All references to sections in these Articles refer to the Internal Revenue Code of 1986 as amended or to comparable sections of subsequent internal revenue laws.) In pursuance of these purposes the Corporation shall do all things necessary, proper and consistent with maintaining tax exempt status under section 501(c)(3).

Section 5. This Organization was not organized in contemplation of, or for the benefit of, any Orchestral Program that is or may be established in the Austintown Local Schools.

ARTICLE III: MEMBERSHIP

Section 1: Any adult interested in the progress and development of the Instrumental Music Department is eligible for membership. There shall be Four classes of membership: Active, Ex-Officio, Alumni and Associate.

Section 2: Active, Alumni and Associate Members shall pay dues pursuant to Article IX, Section 5 by October 1 of each year. Membership shall run from July 1st through June 30th.

Section 3: ACTIVE membership status shall be conferred upon those members, who have students enrolled in the instrumental Music Program.

Section 4: ACTIVE membership status shall also be granted to prospective members transferring into the Austintown Local School District between October 2 and June 1 of each year upon payment of annual dues. Dues will not be prorated. Paid Members shall be eligible to speak on pending business and vote and shall be eligible to hold an elected office.

Section 5: EX-OFFICIO membership status shall be for those individuals designated as Band Directors of the Instrumental Music Program of the Austintown Local Schools. They shall be members of the Executive Board.

Section 6: ALUMNI membership status shall be for those former active

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members and/or former band members who do not have students enrolled in the Instrumental Music Program. They shall be eligible to speak on pending business and vote, but shall not be eligible to hold an elected office.

Section 7: ASSOCIATE membership status shall be for members not classified in Section , 3, 4, 5 or 6. They shall be eligible to speak on pending business, but shall not be eligible to vote or hold elective office.

ARTICLE IV: OFFICERS

All members of the Elected Offices stated below are to hold "Active" status in this Organization. They shall be responsible for coordination of the immediate activities of this Organization and monitoring of the progress of those activities to their completion. No Officer shall be appointed/elected to more than one office within the same operational year. Election/Appointment to any office/position within this organization entails special commitment to faithfully, honestly and morally carry out the responsibilities of such position whether directed or implied.

Section 1: The Elected Officers of this Organization will be:

President, Financial Vice-President, Activity Vice-President, Secretary, Financial Secretary, Treasurer, and Four (4) Trustees.

- a. Trustees serve a two (2) year term, and are limited to 2 consecutive terms.
- b. All other elected Officers shall serve 1 year terms, but not for more than two (2) consecutive years in the same office.
- c. No elected Officer having financial responsibilities or check signing privileges shall be a spouse of another elected Officer having financial responsibility or check signing privileges.
- d. Officers holding the position of President, Financial Vice-President, Treasurer and Financial Secretary must be residents of Austintown Township.

Section 2: The Executive Board will be:

- a. All Elected Officers, and those members called for informational purposes by the president. Those members appearing for informational reasons shall not have the right to vote on any issues presented to the Executive Board.

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b. All designated Band Directors of the Instrumental Music Program of the Austintown Local Schools.

Section 3: Vacancy

- a. All vacancies shall be acted upon within thirty (30) days of their occurrence.
- b. All interim appointments will be for the balance of an Elected Officer's term. The Executive Board will nominate individuals for these vacancies;
 1. President - The Financial Vice-President will be the Interim President. A special meeting of the Executive Board will be called to appoint an Interim Financial Vice-President,
 2. Other Elected Office(s) - The President shall call a special meeting of the executive board for the purpose of appointing an Interim Officer(s),
 3. The nominated candidate receiving the highest number of votes of the members of the Executive Committee present shall be elected to fill any vacancy.

ARTICLE V: DUTIES OF ELECTED OFFICERS

All Elected Officers will maintain an operational manual. This manual and its timed schedule will be updated at the end of each year for the succeeding officer's detailed duties.

Section 1: President shall:

- a. Preside over all Executive Board Meetings, regular meetings and special meetings of this Organization;
- b. Appoint all Committee Chairmen except where otherwise indicated;
- c. Serve as "Ex-Officio" member of all committees except the Nominating Committee;
- d. Shall verify the status of the Statutory Agent for the Organization, and fill as needed;
- e. Coordinate the year's activities with the Band Directors and Committee Chairmen.
- f. Shall not sign any checks withdrawing funds from any Investment Account without prior vote of approval from the Executive Board.

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Section 2: Financial Vice-President shall:

- a. Assume the duties of the Presidency in the event of the President's absence, death, resignation or removal;
- b. Establish the criteria for and set-up of the annual budget;
- c. Be the Budget Director and Financial Analyst of this Organization;
- d. Govern the budget of this Organization according to established guidelines;
- e. Govern the duties of the Financial Secretary and any major investment of the Investment accounts;
- f. Carry out any project assigned by the President with all Committee Chairmen.
- g. Secure and control a copy of the insurance/liability policy from the Board of Education.
- h. Obtain, complete and submit building usage forms for all band activities when necessary.
- i. Co-ordinate scheduling of band events with school administration to avoid conflicts with other school events.
- j. Shall not sign any checks withdrawing funds from any Investment Account without prior vote of approval from the Executive Board.

Section 3: Activity Vice-President shall:

- a. Assume the duties of the Presidency in the event of the President and Financial Vice- President's absence;
- b. Appoint concession stand operator(s) to operate the Football Concession Stands and coordinate their activities;
- c. Be a liaison between the Trustees and the concession stand operator(s);
- d. Work with all Committee Chairmen appointed by the President for any non-football concession part of all Band Activities;
- e. Record a journal for all purchases of supplies for each activity.
- f. Appoint a committee sufficient to assist him/her with their duties.
- g. Co-ordinate with the Band Director, the feeding of the Band as determined by the Executive Board.
- h. Maintain a record of Volunteer Service Hours of all members.

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Section 4: Secretary shall:

- a. Record the minutes of all meetings – Executive Board, regular and special – of this Organization insuring that an accurate record of all proceedings is maintained;
- b. Take minutes of any official meeting of a contractual nature of this Organization. These minutes will be posted in the Minutes File for reference purposes;
- c. File all correspondence received by this Organization; report and process all correspondence as directed by the President;
- d. Provide the Nominating Committee with a copy of these By-Laws and a membership roster of this Organization;
- e. Provide all incoming Officers of this Organization with a copy of the By-Laws upon their election.
- f. The Secretary shall see that all minutes are posted or available for review by the members.

Section 5: Financial Secretary Shall:

- a. Have full knowledge of major expenses and/or any Committee Chairman's budget request;
- b. Be a signature on any Investment (Checking) Account with two (2) signatures for any withdrawal; (These Signatures are to be either the Treasurer, Financial Vice-President, the Financial Secretary or the President.)
- c. Assist the Treasurer and/or any Chairman in the counting of all receipts for deposits;
- d. Keep an account of all funds received by band members fund raising activities sponsored by this Organization in accordance with Article IX, Section 15 and deposited into the escrow account maintained by the Treasurer;
- e. Shall not sign any checks withdrawing funds from any Investment Account without prior vote of approval from the Executive Board.

Section 6: Treasurer shall:

- a. Maintain an accounting record of all funds received by this Organization; to deposit and/or oversee deposits to Organization accounts;

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b. Have possession of the Purchasing (Checking) Account for all fund raising operations and general expenditures of this Organization. Issue checks for the payment of the approved invoices according to the approved budget and file all invoices, statements, and cancelled checks or records thereof;

c. Assist the Financial Secretary and/or any Chairman in the counting of all receipts for deposit;

d. Any expenses, outside the approved budget, of \$500 or less shall require approval of the Executive Committee, and expenses over \$500 require approval of the Membership.

e. Provide the Financial Secretary with Treasurer's report of all funds received/dispersed; provide this record through the end of the proceeding month to the Financial Secretary for review and reports to the Executive Board and general membership meeting;

f. Assist the Financial Vice President and the Financial Secretary with the preparation of the Annual Budget;

g. Be bonded by an amount not less than \$50,000 or at a greater amount as approved by the Executive Board and paid for by the Band Parent Organization;

h. Coordinate Miscellaneous Fundraising Committee funds and Chaperone fundraising Committee funds.

i. Process any quarterly Financial Report required either by Austintown Local School Board and/or President of this Organization;

j. Have knowledge of any IRS requirements of this Organization and make any preparations for any federal and/or state organizational requirements.

k. Shall not sign any checks withdrawing funds from any Investment Account without prior vote of approval from the Executive Board.

Section 7: Trustee(s) shall:

a. Be Members of the Executive Board. ;

b. Be responsible to the Activities Vice-President for opening and closing the Concession Stands at the beginning and closing of the operating year as well as operation and any general maintenance of the Concession Stands; and provide an inventory of supplies and equipment to the Activities Vice-President;

c. Evaluate the progress of this Organization and report their findings to the Executive Board.

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ARTICLE VI: DUTIES OF NON-ELECTED POSITIONS:

Unless specified or designated, all Non-Elected Positions are appointed by the President and will maintain an operational manual. All non-elected positions are subject to approval by the Executive Board or Membership.

Section 1: Statutory Agent shall:

- a. Be the legal agent of this Organization;
- b. Insure that this Organization meets Federal and/or State operational guidelines;
- c. Shall be the High School or Middle School Band Director.

Section 2: 50/50 Chairman shall:

- a. Control the 50/50 Raffle at designated band events;

Section 3: Publicity Chairman shall:

- a. Supply publicity to the media upon request of the Band Directors;
- b. Supply publicity to the media promoting the functions of this Organization;
- c. Work with the Secretary to insure a gratitude reply to any merchant or individual that support the functions of this Organization;

Section 4: Head Chaperone shall:

- a. Be appointed by the Band Director(s), and newly elected Band Parent's President with recommendation from the outgoing Head Chaperone, pending approval of a BCI & FBI background check and of the school administration;
- b. Be responsible for providing the proper number of chaperones required by the School District Policy;
- c. Develop with the Band Director(s) the rules of behavior to be enforced and report to the Band Director(s) any problems regarding the rules of behavior;
- d. Provide copies of the rules of behavior for all chaperones and provide each chaperone with identification;
- e. Maintain a supply box of first aid;

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f. Insure all approved Chaperones have BCI & FBI background checks as set forth in H.B. 104 or as otherwise required by law, and maintain records of same.

Section 5: Membership Chairman shall:

a. Be responsible for coordinating an annual membership drive for this Organization;

b. Collect and deposit with the Treasurer all receipts for annual dues;

c. Work with the Secretary to prepare for distribution all membership cards to those in good standing, and maintain an accurate record of paid memberships;

d. File with the Secretary separate rosters of the four (4) classes of memberships and report on the progress of the membership drive to the general membership;

Section 6: Website Administrator shall:

a. Update a Website owned by the Organization and established with the approval of the Executive Board.

b. Be responsible to the President;

c. With the President, coordinate the use, distribution and maintenance of a "Band Parent Organization" email account.

Section 7: Historian shall:

a. Maintain the scrapbooks consisting of all written materials such as newspaper articles, programs, and pictures pertaining to the Instrumental Music Department and/or this Organization;

b. Maintain or establish a library of audio/video recordings;

c. Provide for the display of the scrapbooks when requested.

ARTICLE VII: COMMITTEES

Section 1: The Chairman of any Committee requiring funds shall submit a written estimated budget to the Financial Vice-President for Executive Board approval or develop same with Executive Board prior to the expenditure of funds.

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Section 2: Additional Committee Chairmen shall:

- a. Be appointed by the President, pending approval of the Executive Board, or Membership;
- b. Be responsible to the Activities Vice-President concerning any fundraising event;
- c.. Be responsible for establishing the reservation with the Band Director for the date/time/place, if applicable;
- d. Submit a written estimated budget to the Financial Vice-President for approval by the Executive Board.

Section 3: The President shall appoint, yearly, a Chairman for each of the following committees. Unless stated, they shall work with or be responsible to the Executive Board:

- a. Fitch Band Night Chairman shall:
 1. Be the Senior Drum Major's parent or Guardian and be responsible directly to the Band Director;
 2. Control the patrons list and arrange for the printing of all necessary materials;
 3. Coordinate an area-wide publicity effort and set the date/time/place with the Band Director;
 4. Determine the cost of this event and maintain a record of receipts and expenditures with the Treasurer;
 5. Submit a written report on Committee progress and conclusion of event to the general membership;
 6. Establish a budget in compliance with Article VII, Section I;
- b. Senior Recognition Night Chairman shall:
 1. Be the Junior Drum Major's parent or Guardian and be responsible directly to the Band Director;
 2. Arrange a program of recognition on the night of the last home football game;
 3. Arrange for any mementos of the event and report the cost of this event to the Treasurer;
 4. Submit a written report to the general membership.

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5. Establish a budget in compliance with Article VII, Section I;

c. Spaghetti Dinner Chairman shall:

1. Be responsible for establishing the reservation with the Band Director for the date/time/place;

2. Contact all Band Directors and the 50/50 Chairman;

3. Coordinate an area-wide publicity campaign for this event with the publicity chairman;

4. Select individuals to coordinate all activities that are part of this event;

5. Arrange all aspects of the menu (preparation and service);

6. Determine the cost of the event and maintain a record of receipts and expenditures for the Treasurer;

7. Submit a written report on committee progress and conclusion of the Event to the general membership;

8. Establish a budget in compliance with Article VII, Section I;

d. Annual Spring Banquet Chairman shall:

1. Be responsible for setting the date/time/place with the Executive Board and the Band Director;

2. Arrange for the facilities where it is to be held;

3. Establish the menu and cost for this event;

4. Develop the program and publicize the event to the general membership;

5. Maintain a record of receipts and expenditures for the Treasurer;

6. Submit a written report on Committee progress and conclusion of the event to the general membership;

7. Establish a budget in compliance with Article VII, Section I;

e. Non-School Event Chairman shall:

1. Meet with individuals responsible for the event;

2. Make any necessary reservations in relation to this event;

3. Publicize the event to the membership;

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- Treasurer;
4. Maintain a record of receipts and expenditures for the
 5. Submit a written report to the Secretary.
 6. Establish a budget in compliance with Article VII, Section I;
- f. Uniform and Instrument Fundraising Committee Chairman shall:
1. Coordinate community-wide fundraising events for the express purpose of uniform and instrument maintenance;
 2. Coordinate with the Band Directors, the participation of students in fundraising efforts;
 3. Submit a written estimated budget to the Financial Vice-President for approval by the Executive Board;
 4. Develop program and publicize events;
 5. Maintain a record of receipts/expenditures for deposit to appropriate accounts;
 6. Submit a written report on committee progress and conclusion of the event to the general membership.
- g. Scholarship Committee: Each year during the January general meeting, a Scholarship Committee shall be selected. The Scholarship Committee shall be selected from Active or Alumni members who do not have a student in the graduating senior class. Once selected, the committee shall:
1. Select a Chairman from among the members of the committee. Once selected, the Chairman will report to the President the activities of the Committee. The Committee Chairman will be responsible to file a final written report with the general membership.
 - a. The Chairman shall prepare an operational manual to be passed to future committees for consistency of operation.
 - b. The Chairman shall preside over all committee meetings insuring fairness in consideration of Scholarship Applications and strict adherence to approved selection criteria.
 - c. The Chairman shall obtain a list of eligible senior band members from the Band Director and verify Grade Point Averages (GPA) of each eligible student with the Fitch High School Senior Guidance Counselor.

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2. Review scholarship applications and select up to Five (5) scholarships of \$500 (or other amounts as may be approved by the Executive Board prior to the selection of the scholarship committee) each for the academic year. If a selected student is enrolling into the music field, an extra \$50 (or other amounts as may be approved by the Executive Board prior to the selection of the scholarship committee) will be awarded, making that scholarship worth \$550 (or as approved by the Executive Committee).

3. The Scholarship Committee shall establish and announce the specific criteria for these scholarships.

4. Insure that the following criteria are followed:

a. An announcement letter will be mailed to each qualifying senior member of the Austintown Fitch High School Band not later than March 15 of each academic year. Scholarships are open to all graduating senior members of either the Concert or Symphonic Band with the following specific requirements:

1. Scholarships are for a period of one year and are non-renewable.

2. All qualifying seniors must return their application to Austintown Band Parents Club, Inc., P.O. Box 4460, Austintown, Ohio 44515, post marked not later than April 17 of each year. Application forms and return envelopes will be provided with each announcement letter. Applications post marked or otherwise received after April 17, WILL NOT BE CONSIDERED. Included with each application must be a letter of admission or acceptance for admission from the college/university or tech school they have applied to.

3. Qualifying applicants must have a 2.8 or higher grade point average (GPA).

4. Qualifying applicants must be a diligent and dedicated member of the High School Band for a four year period. If a student is a transfer student, they must show proof of prior band participation from their previous school.

5. Qualifying applicants must be enrolled in the Fall semester to the college/university or an acceptable trade or technical school of their choice.

6. Scholarship awards will be sent directly to the designated college, university or trade/technical school. Scholarship awards are non-transferable and awards returned due to changed enrollment, failure to enroll or other non attendance factors will be returned to the general fund of this organization.

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7. Questions concerning student activities in support of applications should be directed to the Band Director ONLY.

8. Final selections shall be determined by the committee pursuant to the announced criteria and awards shall remain confidential until their announcement at the Annual Spring Banquet ceremonies.

h. Miscellaneous Fundraising Committee, (e.g. cookie dough, candles, etc.) Chairmen shall:

1. Coordinate events as necessary with Treasurer;
2. Coordinate with Band Directors, the participation of students in fund raising efforts;
3. When necessary, prepare a written budget and submit to the Financial Vice-President;
4. Maintain a record of receipts/expenditures for deposit to appropriate accounts;
5. Submit a record of receipts to the Treasurer for distribution.

i. Chaperone Fundraising Committee (to defray their costs of trip expenses as needed) Chairman shall;

1. Coordinate events as necessary with Treasurer and submit a final written report to the Executive Board;
2. When necessary prepare a written budget and submit to the Financial Vice-President;
3. Proceeds will be applied to general Chaperone expenses of the annual band trips, as needed.

j. Uniform Committee Chairman shall be appointed by the Band Director(s), and newly elected Band Parents President and Outgoing Uniform Committee Chairman and :

1. Be responsible for the storage, record keeping and recovery of the band members' uniform;
2. Maintain a complete record of all loaned uniforms and prepare a financial responsibility form for signature by student and parent or guardian that can be submitted to the High School Treasurer, as needed;

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3. Be the contact person for any ordering, repair or exchange of the band member uniforms, collecting any appropriate fees;
4. Work with the local dry cleaner(s) in cleaning and maintenance of the uniform;
5. Work with the Head Chaperone in general appearance of band member uniforms;
6. Assist and/or supervise the alterations and fitting of the uniforms.

k. Line Committee Chairman shall be appointed by the Band Director, the newly elected Band Parents President and outgoing line chairman and:

1. Act as a liaison between the Rifle, Flag, Color Guard, Drum lines and the Band Parents Organization and/or Executive Board.
2. Be responsible for fundraisers approved by the Executive Board on behalf of the lines and turning money over to the Treasurer to be deposited into an account designated for that particular line.
3. All line captains shall advise the Line Chairman on the coordination of all fundraising activities and any material needs of their particular line. Line Chairman will then report these needs to the Executive Board.
4. The Band Director remains in charge of the regular activities of the lines.

ARTICLE VIII: ELECTIONS, TERMS OF OFFICE, NOMINATING COMMITTEE:

Section 1: Elections:

a. Officers - President, Financial Vice-President, Activity Vice-President, Secretary, Financial Secretary, Treasurer and Trustees - will be elected at the regularly scheduled April meeting;

1. To be eligible to hold an elected office of the Organization, candidate must be an "active member". Candidates must have shown a commitment by attending organizational meetings and/or support of organizational functions. All officers shall be bondable.

2. Four (4) Trustees will be elected for a two (2) year term. Two (2) to be elected in April 1995 and the other two (2) year terms to be elected in April 1996 and continue to alternate thereafter;

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3. Persons having "Active" membership status may be nominated from the floor at the regularly scheduled April meeting;

4. Elections will be conducted by the Nominating Committee Chairman and a neutral member. Each Office shall be voted on individually by secret vote;

5. Candidates receiving the highest vote totals will be declared elected;

6. Elected officers shall assume their duties as of July 1st and serve until June 30th of the succeeding year as described in Article VIII, Section 2;

7. The installation of the newly elected officers will be held in May at the Annual Spring Banquet.

8. The newly elected Executive Board will be invited to any Executive Board meeting after the election and no later than June 14th.

Section 2: Terms of Office:

a. Each Officer, except four (4) Trustees, shall be elected for a one (1) year term;

b. Trustees will be elected for one (1) two (2) year term alternating every other year as described in Article VIII, Section 1: A2;

c. No other Officer shall serve more than two (2) consecutive one (1) year terms in the same office.

Section 3: Nominating Committee:

a. Shall be established at the regularly scheduled January meeting. Two (2) of the members shall be nominated from the Executive Board and three (3) of the members shall be nominated from the general membership;

b. Shall meet as needed, elect its own Chairman and prepare a slate of Officers with the recommendation that more than one (1) candidate may be nominated for each elected office;

c. This slate is to be presented at the regularly scheduled March meeting and voted upon at the regularly scheduled April meeting.

Section 4: Resignation of Office/Position:

a. Submit a letter of resignation to the Executive Board.

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Section 5: Removal from Office/Position for disciplinary reasons:

- a. The Executive Board shall come together at a special meeting as directed by the President or other responsible officer;
- b. Information/evidence of the conduct or reasons for removal shall be reviewed;
- c. Rebuttal information/evidence shall be reviewed;
- d. A vote shall be taken considering removal and must be two thirds of the quorum present to vote;
- e. Refer to Article IV, Section 3 for filling the vacancy.

ARTICLE IX: MISCELLANEOUS:

Section 1: Regular Meetings:

- a. Shall be scheduled for the months of July through November and January through April;
- b. Shall ordinarily be scheduled for the fourth Tuesday of the month, except for July and November which will be earlier in the month. Date for Mandatory Meetings will be announced via US mail;
- c. Twenty (20) "Active" and/or "Alumni" members, including the elected officers shall constitute a quorum sufficient to conduct the business of this Organization.

Section 2: Non-Regular Meetings:

- a. May be called by the President or Executive Board;
- b. Ten (10) "Active" and/or "Alumni" members, not including any of the elected officers, shall constitute a quorum sufficient to conduct the business of this Organization.
- c. The topic(s) to be discussed will be limited to the purpose for which the specific meeting was called.
- d. All members will be notified at least seven (7) days before the meeting.

Section 3: Executive Board Meetings:

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- a. The President shall convene the Executive Board on a monthly basis up to two (2) weeks prior to the regularly scheduled meeting. The purpose of this meeting is to insure that the activities of this Organization are coordinated;
- b. A majority of the elected Officers shall constitute a quorum sufficient to conduct the business of this Organization;
- c. All Executive Board meetings shall be in person.

Section 4: Special Executive Board Meetings

- a. May be called when requested by the President or when requested by six (6) Executive Board members;
- b. Executive Board members will be given three (3) days notice;
- c. The topic(s) to be discussed will be limited to the purpose for which the specific meeting was called.

Section 5: Annual Dues:

- a. Shall be \$5.00 annually per person;
- b. Shall be payable by October 1st of each year for those members desiring membership status, or pursuant to Article III, Section 4.

Section 6: The FISCAL YEAR shall run from July 1st to June 30th of each year.

- a. The following fiscal responsibilities shall be observed by ALL members of this organization:
 1. All monies collected at School or during other organization activities shall be placed in bank bags or other securable containers, clearly marked as to their source and date of receipt.
 2. All monies or other negotiable instruments shall be temporarily secured by the member receiving them and released to the Treasurer or Financial Secretary as soon as possible (not to exceed 10 calendar days for amounts less than \$500) for deposit and recording into appropriate accounts. Amounts exceeding \$500 shall be released to the Treasurer or Financial Secretary within 24 hours for deposit and recording into appropriate accounts.
- b. Counting procedures: Immediately following any activity where monies or other negotiable instruments are received, the member responsible for the activity shall, in the presence of at least one other member, conduct a physical count of all monies and negotiable instruments, record the results of the count and secure

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the monies until they can be released to the Treasurer or Financial Secretary. Where possible, the Treasurer or Financial Secretary's presence for such count will be coordinated and all funds released to them for immediate deposit or temporary night repository. All counts should include as a minimum the following formula:

FINAL TOTAL (- Minus) Any START-UP FUNDS (- Minus) Any Necessary APPROVED Expenditures (= Equals) NET RECEIPTS

Section 7: Annual Budget:

a. At the June Executive Board Meeting, the outgoing Officers shall approve an \$12,000.00 operating budget, effective from July 1 through August 31, until an annual budget is approved;

b. The Financial Vice-President, shall prepare an annual budget in conjunction with the President, Financial Secretary and Treasurer for review and approval by the Executive Board at its August meeting;

c. The general membership shall then be asked to approve the annual budget at the regularly scheduled August meeting.

Section 8: An Independent Financial Review by an independent CPA or accounting firm shall be performed every four (4) years, beginning after August 2008. An Internal Committee of at least three (3) active members shall be appointed every four (4) years, on an alternating two (2) year cycle by the Executive Board to perform an internal audit. Results will be reported to the Executive Board for review and correction as necessary. Where discrepancies are discovered, an Independent AUDIT may be ordered by action of the Executive Board.

Section 9: Meeting Agenda:

a. For the regular meetings shall be established by the President in consultation with the Executive Board and meetings will be conducted following Roberts Rules of Order;

b. The form of each regular meeting shall be as follows:

- Posting for addition/deletion/correction of the Minutes of the last scheduled meeting

- Posting for addition/deletion/correction of the Treasurer's Report

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- Secretary's Report
 - Posting for addition/deletion/correction of the Financial
- President Committee Report
 - Posting for addition/deletion/correction of the Financial Vice-
- President Committee Report
 - Posting for addition/deletion/correction of the Activity Vice-
- Committee Report
 - Posting for addition/deletion/correction of the 50/50 Chairman
- Committee Reports
 - Posting for addition/deletion/correction of the Other
 - Directors Reports
 - Old Business
 - New Business
 - General Discussion
 - Adjournment

Section 10: Dissolution Clause

The internal affairs of the corporation shall be regulated by its Executive Board as described in the Bylaws. Upon dissolution of the corporation, its assets shall be disposed of exclusively for the purposes of the corporation as set forth in Article II or distributed to such organizations organized and operated exclusively for charitable purposes which shall, at the time, qualify as exempt organizations under section 501(c)(3), or shall be distributed to the federal government, or to a state or local government, for a public purpose. Any such assets not disposed of shall be disposed of by the appropriate court the county in which the principal office of the organization is then located, exclusively for such purposes or to such organization or organizations, as said Court shall determine, which are organized and operated exclusively for such purposes.

Section 11: Uniform Fund and Instrument Fund:

- a. The Treasurer shall, at year end, insure that all expenses are paid, and encumbered funds and start-up funds are sequestered. All money left in the General Fund shall be divided equally and deposited in the Uniform Fund and the Instrument Fund.
- b. Shall be used for the purchase of new uniforms for the entire band;

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- c. Shall be used for periodic purchase of supplemental uniform;
- d. By Executive Board approval, shall be used for non-student owned instruments, Rifle Line, Flag Line and Color Guard equipment, and if over \$500, presented to the membership for approval.

Section 12: Post Office Box:

- a. Shall be rented by this Organization and maintained by the President, Treasurer and the Financial Secretary;
- b. The Treasurer, or their designee, shall be responsible for routine mail pickup and distribution to appropriate officers/members.

Section 13: Amendments to By-Laws:

- a. May be amended by a two-third vote of the "Active" membership present at a regular meeting provided that the proposed amendment(s) has been submitted by an "Active" member in writing to the Secretary;
- b. Will have two (2) readings to the general membership at two (2) regular meetings;
- c. The proposed amendment(s) will be voted upon immediately following its (their) second reading and if approved, shall become effective immediately.

Section 14: By-Law Review:

Every five (5) years these By-Laws shall be reviewed and revised as necessary. Changes shall be determined by a Committee of at least five (5) members and should follow the same procedure as stated in Article IX, Section 13(b)(c).

Section 15: Miscellaneous Fundraisers

- a. In addition to the General Fund Fundraisers approved by the Organization, the Organization may authorize Miscellaneous Fundraisers for specified purposes or projects that are of a benefit to the organization.
- b. The Executive Board shall establish a policy regarding all Miscellaneous Fundraisers.

ARTICLE X: MISCONDUCT:

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Section 1: Any member having concerns regarding misconduct/misbehavior of another member shall report such to the Executive Board as soon as possible.

Section 2: The Executive Board shall review concerns and take action as deemed necessary.

ARTICLE XI: Private Benefit Clause

Section 1: No part of the net earnings of the corporation shall inure to the benefit of or be distributed to any Member, officer, 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 corporation shall be limited to reasonable amounts. No substantial amount of the activities of the corporation shall be the carrying on of propaganda, or otherwise attempting to influence legislation and this corporation 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. Notwithstanding any other provision of these Articles or of any Bylaws adopted thereunder, this corporation shall not take any action not permitted by the laws which then apply to this Corporation.

ARTICLE XII: Conflict of Interest Policy

Section 1: Purpose

The purpose of the conflict of interest policy is to protect this tax-exempt organization's interest when it is contemplating entering into a transaction or arrangement that might benefit the private interest of an officer or director of the Organization or might result in a possible excess of benefit transaction. This policy is intended to supplement but not replace any applicable state and federal laws governing conflict of interest applicable to nonprofit and charitable organizations.

Section 2: Definitions

A. Interested Person

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Any Member, officer, or member of a committee with governing board delegated powers, who has a direct or indirect financial interest, as defined below, is an interested person.

B. Financial Interest

A person has a financial interest if the person had, directly or indirectly, through business, investment or family:

1. An ownership or investment interest in any entity with which the Organization has a transaction or arrangement.

2. A compensation arrangement with the Organization or with any entity or individual with which the Organization has a transaction or arrangement, or

3. A potential ownership or investment interest in, or compensation arrangement with, any entity or individual with whom the Organization is negotiating a transaction or arrangement.

4. Compensation includes direct and indirect remuneration as well as gifts or favors that are not insubstantial.

5. A financial interest is not necessarily a conflict of interest. A person who has financial interest may have a conflict of interest only if the appropriate governing board or committee decides that a conflict of interest exists.

This Constitution and By-Laws, revised on March 25, 2014 was amended as recommended by the Organization's Corporate Agent and became effective on April 22, 2014 after the approval of this Organization's "Active" Membership. It shall replace all preceding Constitution and By-Laws.

2014 - Review Committee

Brad Gessner, Chairman
Scott Cochran, Member
Vanessa Dillon, Member
Jim Henline, Member
Kathy Kaminsky, Member
Karma Minkewicz, Member
Julie Nochta, Member
Desa Pavlichich, Member

2009 - Review Committee

Michael J. Kurish, Chairman
Beth Baran, Member
Joy Bickerstaff, Member
Chris Comeau, Member
Bev Davis, Member
Debbie Infante, Member
Mark Izzo, Member
Don Judis, Member
Jennifer Kurish, Member
Greg McAllister, Member

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2009- Cont.:

Rhonda McAllister, Member
Kathy McBride, Member
Connie Ortz, Member
Loretta Uroseva, Member

2003 - Review Committee

Penny Shields, Chairman
John Sledd, Member
Thom Reid, Member
Karen Hanek, Member
Chuck Plants, Member
Larry Snell, (Band Director)
Sandy Snell, Member

1997 - Review Committee

Nancy Card, Chairman
Jacci Fizet, Member
George Mackey, Member
Missy Rusu, Member
Kay Wilson, Member
Debbie McGahagan, Member

1992 - Review Committee

Bill Sywy, Chairman
Mark Aber, Member
Jere Anderson, Member
Dave Herbert, Member

1987 - Review Committee

Neil Frasca, Chairman
Dan Fink, Member
Jane Grace, Member
Bill Stilson, Member
Toni Yuhasz, Member

1982 - Review Committee

Joyce Pogany, Chairman
Peter Chila, Member
Lyle Grimm, Member
Dorothy Molinaro, Member

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