

**Upper St. Clair Band Parents Association By-laws**  
(Effective July 1, 2010)

**Article I - Name**

The name of this Association is the Upper St. Clair Band Parents Association (hereafter the “Association”).

**Article II - Purpose**

The purpose of this Association shall be to stimulate greater interest and support of all instrumental (Bands, Band Auxiliaries and Orchestra) music activities at Upper St. Clair High School, and to foster closer student, parent, educator and community involvement with the Band. Use of the term “Band” herein refers to all student instrumental groups and affiliated activities at Upper St. Clair High School.

**Article III - Basic Policies**

The basic policies of the Association are:

1. The program of the Association shall abide by the educational and administrative policies of Upper St. Clair High School.
2. The Association shall be noncommercial, non-sectarian and nonpartisan.
3. The name of the Association, or the names of any members in their official capacities, shall not be used in any connection with a commercial concern, nor with any political interest, nor for any purpose not appropriately related to promotion of the objectives of the Association as defined in Article II.
4. Funds of the Association shall not be used to purchase items or materials that normally can be provided by the school’s administration from Upper St. Clair School District funds.
5. The Association shall not discriminate on the basis of race, color, religion, disability, national origin, age, sex or marital status in its activities or membership status.
6. No part of net earnings of the Association shall accrue to the benefit of or be distributed to its members, directors, officers or other private persons except that the organization shall be authorized and empowered to pay reasonable compensation for services rendered and to make payments and distributions in furtherance of the purpose set forth in Article II hereof. Unless prior written agreement is received from the Executive Board, members are deemed to be volunteers and are not paid when working at any Association event or fundraiser.
7. Notwithstanding any other provisions of these articles, the Association shall not carry on any activities prohibited to an organization exempt from Federal Income tax under Section 501(c)(3) of the Internal Revenue Code, or by an organization, contributions to which are deductible under Section 170(c)(2) of the Internal Revenue Code.

**Article IV - Membership and Dues**

Section 1. Any person interested in furthering the objectives of the Association shall become a member upon payment of annual dues for the period from July 1 through June 30. There is no prorating of dues. Annual dues paid to the Association confer membership upon the payors household, and are considered a family membership including only minors who are students at Upper St. Clair High School and active in Band. In the event that the parents or guardians of a student active in Band do not reside at the same address, the membership encompasses the households of the student’s parents or guardians as members.

- a. Only those Association members who are parents or guardians of students active in the Upper St. Clair High School Instrumental Music Program (Bands, Band Auxiliaries and Orchestra) shall have voting rights and are eligible to hold office. For the purposes of this Section IV, “active” shall mean participating in the Band in the current Fiscal Year.

- b. Only members of the Association may travel with the Association on trips.
- c. The instructional staff of the Upper St. Clair High School Instrumental Music Program (Bands, Band Auxiliaries and Orchestra), Upper St. Clair High School Principal and the Student Presidents of the Upper St. Clair Band and Orchestra Councils are ex-officio members of the Association with no voting power and are not eligible for regular membership during their tenure as staff.
- d. The Marching Band Director and the Performing Arts Curriculum Leader are ex-officio members and advisors of the Association.
- e. Member information, including student and family E-mail addresses, will be provided to Committee Chairs on an as-needed basis.

Section 2. The annual dues for membership in this Association shall be set by the General Board and said dues shall be considered a family membership as described in Section IV.1.

- a. The annual dues shall be payable on or before September 30.
- b. New members joining the Association will be accepted at any time during the operating year, upon payment of the annual dues.
- c. Dues must be paid and current prior to participation in any Association committee activity. Membership is required to provide coverage to any member participating in Association activities under any applicable a liability or other insurance policies that are in effect.

#### **Article V - Officers**

Section 1. The Officers of the Association shall be the President, the Vice-President, the Secretary, the Treasurer, Trip Chair, Incentives Chair, and the Advisor. Two or more persons may run as co-officers for the office of President, Vice-President, Secretary, and Treasurer. All names of candidates running jointly for the offices of President, Vice-President, Secretary or Treasurer will appear together on a single line on the ballot, and for election purposes, the several persons shall be considered as a single candidate.

Section 2. The duties of the following Officers shall be:

- a. The President shall preside at all meetings of the Association; shall coordinate the work of the officers and committees of the Association in order that the purposes be promoted; shall act as ex-officer member of all committees except the nominating committee; shall assume the leadership role in all contact with school and community; and will organize a special committee to review the by-laws in accordance with Article XIV.
- b. The Vice-President shall assume the above duties in the absence of the President; shall serve as president-elect; shall become familiar with all aspects of the Association; shall organize Parent Salute Night; shall collect and maintain a library of reports detailing the activities of the standing and special committees; shall recruit chairpersons for standing and special committees; and shall act as Trip Chair in the event that no other person can assume the responsibility.
- c. The Secretary shall keep minutes of all meetings and shall give notice of said meetings; shall handle all general correspondence; and shall keep the membership list and Band student database.
- d. The Treasurer shall present a projected budget for approval at the change-over meeting; shall be charged with the collection and custody of funds of the Association and their disbursement under the direction of the General Board in accordance with the budget adopted by the Association; shall keep written accounts of receipts and expenditures and present a financial statement at each meeting of the Association; shall be prepared to open books at all times to the inspection of any member of the Executive Board; shall present to the General Membership meeting an annual report at the regular fall General Membership meeting; shall submit for audit at the end of each fiscal year to an auditor or auditing committee designated by the Executive Board; shall contract for any liability insurance required by the Association with the approval of the Executive Board; shall complete any applicable State and Federal tax forms.

- e. The Advisor is the most recent Past-President of the Association and shall serve as the Chair of the nominating committee.
- f. The Trip Chair's duties are as described in Article XI, Section 2.
- g. The Incentives Chair's duties are to record, manage and report on student incentive accounts as described in Article XI, Section 3.
- h. Bank account reconciliations are to be reviewed monthly by the Advisor at each Executive Board Meeting. If the Advisor is unavailable the President will appoint another Executive Board member to review the bank account reconciliations.
- i. For expenditures greater than one-thousand dollars (\$1,000) the signature of the President or Vice-President must appear on the Bill Payment/Expense Reimbursement form in addition to the signature of the Committee Chair or other authorized member.

Section 3. All Officers shall:

- a. Perform the duties outlined in these by-laws and those assigned from time to time.
- b. Deliver to their successors all official material and yearly reports prior to the first meeting of the incoming Board with the exception of the Treasurer, whose books shall be turned over to the new Treasurer as soon as possible after the end of the fiscal year, but not later than the first General Meeting of the new year an audit will be performed. Any inquiries arising from the audit will be the responsibility of the out-going Treasurers. A copy of each yearly report shall be submitted to the President.

## **Article VI - Election of Officers**

Section 1. Nominations for Officers shall be made by a Nominating Committee chaired by the Advisor and consisting of four additional members of the voting body of the Association. This committee shall be appointed by the Executive Board no later than the January Executive Board meeting. Before appointment of the Nominating Committee, the Executive Board will notify the general membership of the upcoming selection of the Nominating Committee. Any member of the Association may indicate interest for appointment to this committee by contacting the Executive Board. No member shall serve on the Nominating Committee for more than two consecutive years.

Section 2. The Nominating Committee shall compile a list of nominees for each position and present it to the Association for vote at the spring General Membership Meeting. Additional nominations may be made from the floor, provided the consent of each candidate has been obtained before the name is placed in nomination. The duties of the Nominating Committee shall cease upon the election of new officers.

Section 3. On approval of the Nominating Committee, the nominee for President shall be the current Vice-President.

Section 4. The election of the President, Vice President, Secretary and Treasurer shall take place annually at the spring General Membership meeting. Election shall be by ballot from a slate prepared by the Nominating Committee. However, if there is but one nominee for any office, upon adoption of the motion from the floor, the election for that office may be by voice vote. Officers shall assume their official duties immediately following the close of the final meeting of the current school year designated as the changeover meeting and shall serve a term of one-year or until their successors are elected. No officer shall be eligible to serve more than two consecutive terms in the same office with the exception of the Incentives Chair, who may serve more than two consecutive terms upon the invitation of the President and approval of the Executive Board. One who has served more than one-half term shall be credited with having served that term. The "changeover meeting" shall be the meeting set by the President after the election of Officers for the purpose of passing authority to the next Executive Board.

Section 5. Only members whose dues are current to the Association shall be eligible to hold office. Only parents/guardians of students participating in the High School Bands, Band Auxiliaries and Orchestra programs may serve as Officers.

Section 6. A vacancy occurring in the office of President shall be filled immediately by the Vice-President. Other vacancies shall be filled by appointment of the current Executive Board.

## **Article VII - The Executive Board**

Section 1. The Executive Board shall consist of the following voting members: the President, the Vice-President, the Secretary, the Treasurer, the Trip Chair, the Incentives Chair, and the Advisor. The Marching Band Director and Performing Arts Curriculum Leader are non-voting members of the Executive Board.

Section 2. The Executive Board shall transact necessary business in the intervals between Association meetings and such other business as may be referred to it by the Association and shall refer to the Association such matters as require Association approval.

Section 3. Specific duties of the Executive Board shall be:

- a. To select, bi-annually, an auditor or auditing committee to audit the Association's financial records as maintained by the Treasurer.
- b. To appoint a Nominating Committee.
- c. To create special committees as needed.

Section 4. The Executive Board will initiate and maintain a set of Standing Rules.

- a. Standing Rules are motions of an ongoing nature used to supplement the by-laws. They are intended to cover situations without the formal procedure of amending the by-laws.
- b. Standing Rules continue in force until temporarily suspended, amended, or rescinded by the Executive Board. They should be reviewed at least once a year and updated as necessary. The Standing Rules may be adopted without previous notice by majority vote at an Executive Board meeting.
- c. No Standing Rule shall be adopted that conflicts with the by-laws of the Association.

Section 5. Meetings of the Executive Board shall be called by the President or by a majority of the Executive Board. A majority of the Executive Board members shall constitute a quorum for an Executive Board meeting.

Section 6. An Executive Board member is authorized to spend up to \$250.00 for an urgent-need situation when approval by the General Board is not practical.

Section 7. By a two-thirds vote of the Executive Board, an officer or committee Chair may be removed from office for failure to perform duties.

## **Article VIII - The General Board**

Section 1. The General Board shall consist of the members of the Executive Board, Standing Committee Chairs and any Co-Chairs and the following members without vote, including Band/Orchestra Council Representatives, the High School Principal, and members of the High School Bands, Band Auxiliaries and Orchestra faculty or staff and Special Committee Chairpersons.

- a. The Chair and any Co-Chair of all standing and special committees shall report and present plans to the General Board for approval. No committee work shall be undertaken without such approval.
- b. The Band Council Representatives shall act as liaison between students and the General Board and shall communicate concerns, questions and comments.
- c. The High School Principal shall act as an ex-officio member.
- d. Members of the High School Band/Orchestra faculty or staff shall communicate concerns and cooperate with the objectives of the Association.

Section 2. The General Board shall have general charge of the affairs and funds of the Association; shall approve the plans of work of the standing and special committees; and shall present a report at the General Membership meetings of the Association.

Section 3. A budget shall be approved at the changeover meeting.

#### **Article IX - Committees**

Section 1. Standing committees shall be created by the Association as may be required to promote the objectives and the interests of the Association. The term of standing committee Chairs shall be one year or until their successors are selected.

Section 2. Special committees may be appointed by the Executive Board when such committees are deemed necessary by the President, the Executive Board or the Association. Since a special committee is created and appointed for a specific purpose, it automatically goes out of existence when its work is done and its final report is accepted or adopted by the General Board.

Section 3. The Chairs and co-Chairs of all committees must be members in good standing in the Association.

Section 4. The quorum of any committee must be a majority of its members.

Section 5. The committee Chair is authorized to make expenditures within budgeted limits. Additional expenditures must be approved by the General Board.

#### **Article X - Meetings**

Section 1. The Association shall have a minimum of three General Membership meetings a year; one in the fall, one in the winter and one in the spring.

a. A quorum of the Association will exist when a minimum of fifteen voting members are present, and when a majority of the members serving on the Executive Board are present.

b. The date, time and place of these and any additional meetings shall be set by the Executive Board and properly announced to the membership by the President.

Section 2. Regular monthly meetings of the General Board shall be held during the year, the time to be fixed by the General Board at its changeover meeting.

a. A quorum of the General Board will exist when a minimum of ten voting members are present, and when a majority of the members serving on the Executive Board are present.

b. Meetings of the General Board shall be open to all members of the Association.

Section 3. Meetings of the Executive Board shall be called by the President or by a majority of the Executive Board.

a. The presence of a majority of members of the Executive Board shall constitute a quorum.

b. Minutes of the Executive Board meetings shall be available to the general membership.

#### **Article XI - Trip**

Section 1. When the Marching Band Director plans a trip for which the Association's funds will be used, the President will request a written memo from the Marching Band Director, to be presented to the Executive Board. The memo will include dates of departure and return, modes of transportation, itinerary of activities, desired lodging accommodation and meal arrangements. Once the criteria for the trip have been established, it then is the responsibility of the Marching Band Director with the approval of the Executive Board to secure a travel agent to arrange the proposed trip.

## Section 2. Duties of the Trip Chair

- a. The Trip Chair, in consultation with the Director, shall work with the travel agent to evaluate accommodations and determine trip costs, prepare itineraries for the trip activities, maintain timely communications with student and parents, enlist chaperones, collect trip deposits and other required documentation from student trip participants, see that all necessary deposits are paid, and coordinate with other committees to ensure the success of the trip described in Article XI.1.
- b. A routine duty of the Trip Chair shall be to accompany the Director and the travel agent on a site visit to the locale of the proposed trip to review the hotel and recreational facilities before making a financial commitment to the facilities if the Executive Board determines that a planning trip is necessary.
- c. The Trip Chair is a member of the Executive Board and shall report regularly to the Executive Board and to the General Board on the progress of trip arrangements.
- d. The Marching Band Director, in consultation with the Executive Board, may cancel a trip due to lack of student participation or due to other serious circumstances. In such a case, the Trip Chair will arrange to recover, as much as possible, any expended funds. The Executive Board will determine the allocation of any and all recovered trip funds in the event of a cancellation.

## Section 3. Student Incentives, Major Trip Fund

- a. Fund-raising activities shall be organized by the various committees. The Chair of each committee shall report the participation result to the Incentives Chair within one week after the conclusion of the activity.
- b. Students earn credit toward their incentives account through the activities organized by the fund-raising committees. As a general rule, 20% of a student's earnings is placed in the Major Trip Fund. Voluntary contributions made to student incentives accounts are not included when calculating the Major Trip subsidy. This fund is used to subsidize the cost of the Major Trip every fourth year. The intent of the Association is to accrue sufficient funds to offer a subsidy to students for the Major Trip but the Association is not obligated to guarantee that there will be sufficient funds to offer a Major Trip subsidy. The amount of the student's subsidy is based on an average of the percentages of the fund-raising targets met by the student during the years the student participated in the instrumental music programs at Upper St. Clair High School. Fund-raising targets will be set each year and will be based on each student's anticipated trip eligibility and the anticipated costs for future trips. All funds held in the Major Trip Fund and in student incentives accounts will be used for student Band trip expenses only. The Major Trip Fund balance at the conclusion of the Major Trip is to be zero.
- c. Students currently active in the Band, as well as incoming freshmen joining the Band program in the following year, may inherit the unused portion of a sibling's incentives account. Unused accounts that may accrue to a sibling's incentive account include the balance in a graduating senior's account, the account balance of a sibling who is active in Band but is not participating in a trip, or the balance in the account of a sibling who is participating in Band and in a trip but has surplus in his/her student incentives account. No incentives account will be maintained for students not currently in Band. Unused money in the student incentives account that cannot be allocated to a sibling active in the Band program will revert to the Major Trip Fund. Unpaid or delinquent charges (ex: uniform cleaning fee) will be deducted from the student incentives account.

Section 4. Subsidized trip costs.

a. The Association will assume the cost of transportation, room, entrance fees and board as included in the standard chaperone package for the following people who choose to participate in the Spring Trip:

1. Marching Band Director and significant other.
2. High School Music Directors employed by the Upper St. Clair School District and other employees as recommended by the Directors and approved by the Executive Board.
3. Trip Chairs(s)
4. Trip doctor or nurse

b. The following people may participate in the Spring Music Trip at a chaperone rate with the approval of the Executive Board:

1. The selected trip chaperones.

c. Partial or full payment may be provided for others at the discretion of and with approval by the Executive Board.

d. Persons (students, staff, chaperones, etc.) participating in the trip requesting alternative transportation or accommodations must assume the additional cost unless the current Executive Board approves the additional expense to the Association as necessary to the success of the trip.

Section 5. Chaperone roles or positions are limited to members of the Association over twenty-one years of age and within the guidelines established by the Executive Board.

**Article XII - Fiscal Year**

The fiscal operating year of the Association shall begin on July 1<sup>st</sup> and end on the following June 30<sup>th</sup>.

**Article XIII - Parliamentary Authority**

Robert's Rules of Order, revised, shall govern this Association in all cases to which they are applicable and in which they are not inconsistent with these by-laws.

**Article XIV - Amendments and Revisions: By-laws**

Section 1. These by-laws may be amended at any General Membership meeting of the Association by a two-thirds vote of the members present and voting, provided notice of the proposed change has been made prior to the meeting.

Section 2. A special committee may be appointed by the Executive Board to submit a revised set of by-laws as a substitute for the existing by-laws. The requirements for adoption of a revised set of by-laws shall be the same as in the case of an amendment.

Section 3. These by-laws shall be subject to review every four years by a special committee consisting of members of the Executive Board and members of the Association.

Section 4. The revised by-laws shall become effective at the beginning of the fiscal year following their adoption by the General Membership of the Association.

## **Article XV - Dissolution**

In the event of dissolution of the Association, after authorized payment of all outstanding debts, the remaining monies shall be donated to the Upper St. Clair High School Instrumental Music Program. If the Upper St. Clair High School Instrumental Music Program is no longer in existence, the monies shall be donated to any Upper St. Clair High School program at the discretion of a majority vote of the Association. In the event that the Upper St. Clair Band Parents Association and the Upper St. Clair High School no longer exist, any remaining funds must be turned over to another '501(c)3' organization.

## **Article XVI - Fundraisers**

### **Section 1. Non-Sufficient Funds (NSF) checks**

- a. Any drafter of a NSF check will be liable for the full amount of the check along with all bank and administrative fees incurred by the Association for that NSF check.
- b. The Association reserves the right to refuse personal checks from anyone who has presented a NSF check to the Association.
- c. The Association reserves the right to suspend membership rights and privileges for any member who presents a NSF check and does not settle the check and fees within fifteen (15) days of notification. The Association reserves the right to not allow the band student to participate in any fundraiser nor receive a Major Trip subsidy if a NSF check and related fees are not settled within fifteen (15) days of notification.

Section 2. For phone-in or mail-in fundraiser orders received by the Association that were not directly sold by a particular band student, one-half of the profit will be earned by the student making the delivery and one-half will be credited to the Major Trip fund. The opportunity to deliver phone-in or mail-in orders will be made available to all band students who participated in the fundraiser.

*This revision of the USCBPA By-Laws was approved at the General Membership Meeting held March 17, 2010. These amended By-Laws go into effect on July 1, 2010.*