

Tustin High School Instrumental Music Organization

By-Laws effective as of July 1, 2019

Article I Organization

This organization, the Tustin High School Instrumental Music Organization, hereinafter called THS IMO, is a volunteer association operating under the auspices of the Tustin High School Super-Boosters Club, a non-profit California Public Benefit Corporation.

This group incorporates the following groups: Marching Band, Concert Bands, Orchestra, Colorguard, Winterguard, Drumline, and Jazz Band. This group of classes will be known as the Instrumental Music Department (IMD).

The name and address of the organization shall be:

Tustin High School Instrumental Music Organization
1171 El Camino Real
Tustin, CA 92780
(714)730-7414 ext. 87603
91-1752549

Article II Purpose

Section 1

The THS IMO, recognizing that fine arts in general, and music in particular are a vital part of an effective high school academic program, pledges to actively assist, encourage, and support the IMD program at Tustin High School of Tustin, California. To this end, the THS IMO is organized exclusively to provide charitable non-profit support to the Tustin High IMD program and:

Will work in cooperation with the school administration the Music Directors and Coaches.

Will support and publicize any/all IMD events. These may include musical events, fund-raising events and any other event having to do with the IMD.

Will promote and encourage participation by parents/guardians/families of each student in the program.

Will assist the IMD staff with volunteer services for any activity requested by the Directors or Coaches, consistent with the purpose of the organization.

Will support and monitor the fund-raising efforts and expenditures for the Instrumental Music Department.

Will support, monitor and report fundraising efforts and maintain a high standard of integrity in all activities of the organization.

Section 2

The organization shall not carry on any other activities, to include attempting to influence legislation and participating in, or intervening into, any political campaign on behalf of a candidate for public office, to which the purpose of such activities are not permitted to be carried out in accordance with:

- An organization exempt from Federal income tax under Section 501(c)(3) of the Internal Revenue Code (or corresponding section of any future Federal Tax code), or
- An organization to which contributions are deductible under Section 170(c)(2) of the Internal Revenue Code (or corresponding section of any future Federal Tax code).

Article III Membership

Section 1

The THS IMO membership shall consist of the parents/legal guardians of current Tustin High School IMD students and the Tustin High School Instrumental Music Director.

Section 2

The THS IMO voting membership shall be open to all parent/legal guardians in agreement with the purpose of this organization.

Section 3

Membership shall be concurrent with the beginning of each school fiscal year (July-June).

Article IV Executive Board

The Executive Board of the THS IMO shall consist of the following elected officers: President, Vice President, Secretary, Treasurer, and the Ex-officio Officers.

Section 1

The Executive Board shall advise with and assist the Chairpersons of the THS IMO in all matters concerning its interest and the management of its affairs and shall have such powers to render decisions out of the presence of the General Membership when it deems a need regarding rights of privacy. In no event will the Executive Board have authority over the General Membership.

Section 2

At any meeting of the Executive Board, a simple majority of the total number of members then in office shall constitute a quorum for the transaction of business, and the act of a majority present at any meeting at which there is a quorum shall be the act of the Board.

Section 3

Any action taken by the Executive Board shall be brought before the General Membership and stated in terms of conflict and resolution.

Section 4

When a member of the Executive Board fails to attend three consecutive Executive Board meetings without notification, adequate excuse, or fails to fulfill the

obligations of his or her office, the Board may declare this office vacant. At least 72 hours notice must be given before any Executive Board meeting can be held.

Section 5

Vacancies occurring on the Board shall be appointed by the President from the General Membership to fill the term of office. The replacement must be approved by the Executive Board. If the office of the President becomes vacant, the Vice President will assume the office. A new Vice President will be appointed by the new President from the General Membership with the approval from the Executive Board.

Article V Officers and Their Election

Section 1: Elected Officers

The elected officers of the THS IMO shall consist of the following: President, Vice President, Secretary, and Treasurer.

Section 2: Appointed Officers

The Executive Board shall appoint the following Chairpersons: Restaurant Night Coordinator, Funnel Cake Coordinator, Grant and Donation Coordinator, Publicity Coordinator, Volunteer Coordinator, Prop Coordinator, E-scrip Coordinator, Drumline/Winterguard Concession Coordinator, Drumline/Winterguard Hospitality Coordinator, Spanish Liaison, and Auditor. Additional Chairpersons may be appointed as needed.

Section 3: Ex-officio Officers

The Instrumental Music Directors and Coaches are the Ex-officio members. They shall also be members of the Executive Board and shall represent the Tustin Unified School District and Tustin High School for the organization. Ex-officio Officers have no voting rights.

Section 4: Nominating Committee

The Nominating Committee is to be formed at the February meeting and will consist of the Vice President, one (1) Instrumental Music Director/Coach and one (1) other member of the organization appointed by the President. The committee may then elect their Chairperson from the three (3) committee members.

The primary duty of the Nominating Committee shall be to select and submit a slate of nominees for all elected officers. Only those persons who have signified their consent to serve are elected to be nominated for or elected to office.

Section 5: Elections

The slate of nominees must be accepted by the Executive Board and will be presented in March and voted upon by the members of the organization at the general meeting in April. Nominations should be limited to one position per person.

Officers and Chairpersons shall serve for a term of one year. No officer shall hold more than one elected office. Terms of all offices are July 1 to June 30. A person who has served in an office for more than six months of full term shall be deemed to have served full term in such office.

If an office remains unfilled after election, it shall be considered a vacant office to be filled by the Board-elect.

Upon the expiration of the term of office or case of resignation or termination, each officer and/or chairperson shall turn over to the President, all records, books and other material pertaining to the office, and shall return to the Treasurer, all funds belonging to the organization.

Article VI Duties of Officers

President:

It shall be the duty of the President to preside at all regular and special board meetings. He/She sets the agenda for each meeting and articulates with the Instrumental Music Director/Coaches to address the needs of the IMD program. The President shall perform all duties of the office and shall be an Ex-Officio member of all committees except the Nominating Committee. The President shall also sign all contracts subject to the approval of the Executive Board. The President shall meet with the school Administration and Instrumental Music Directors/Coaches as needed. The President may not be related by blood or marriage or reside in the same household as the Treasurer or any authorized signers of checks.

Vice President:

The Vice President shall act in the capacity of President during his/her absence and shall assume his/her duties for the balance of the term if required to do so. The Vice President shall register and welcome new members to the program at the beginning of the school year. He/She shall recruit parents in support of the field shows and other activities. The Vice President shall also serve on the Nominating Committee.

Secretary:

The Secretary shall keep an accurate record of the proceedings of all meetings of the organization and Executive Board meetings. These minutes shall be in English and Spanish and shall be maintained and become the permanent record of the activities of the THS IMO. He/She shall keep an updated roster of all members of the organization and an updated copy of the by-laws of the organization.

Treasurer:

The Treasurer shall keep all books and records relating to all financial matters for the THS IMO. The Treasurer shall present a statement of account at each of the meetings and open request by the Directors or any Executive Board member. He/She shall prepare an annual financial report to the Tustin High School Super-Boosters Club when requested. The Treasurer will collect all financial contributions and fees and maintain a record of payment, which he/she will provide to the President and Director when requested. The Treasurer's books will be audited annually by an Executive Board-appointed auditor. The Treasurer may not be related by blood or marriage or reside in the same household as the President or any authorized signers of checks.

Restaurant Night Coordinator:

The Restaurant Night Coordinator is responsible for setting up Monthly restaurant nights through the year. The hope is to have ten (10) per school year. If possible, the restaurant night should be set up at least one month in advance of the date.

Funnel Cake Coordinator:

The Funnel Cake Coordinator is responsible for organizing the funnel cake set up at Tiller Days and Chili Cook Off and should be in attendance most, if not all, of both events. ***Grant and Donation Coordinator:***

The Grant and Donation Coordinator is responsible for seeking out grant opportunities and writing grant applications.

Publicity Coordinator:

The Publicity Coordinator is responsible for promoting activities and events via social media platforms and local media sources.

Volunteer Coordinator:

The Volunteer Coordinator is responsible for contacting the membership about events that require volunteers and organizing the volunteer schedules. This position requires coordination with the Band Director.

Prop Coordinator:

The Prop Coordinator is responsible for designing and building any props required for group competitions and recruiting others in the group to help as necessary.

E-scrip Coordinator:

The E-scrip Coordinator is responsible for promoting and assisting members with the E-Scrip process.

Cabaret Concert Coordinator:

The Cabaret Concert Coordinator is responsible for organizing food and menu for the event and the donation baskets/silent auction. This position will also recruit others to assist in the process.

Drumline/Winterguard Concession Coordinator:

The Drumline Concession Coordinator is responsible for organizing concession menu, set up at the concession stand and monitoring sales and activity during the event, and should be in attendance most, if not all, of the event.

Drumline/Winterguard Hospitality Coordinator:

The Drumline Hospitality Coordinator is responsible for organizing hospitality room menu. Will solicit food donations from other members of the organization and should be in attendance most, if not all, of the event.

Spanish Liaison:

The Spanish Liaison is responsible for facilitating communication between Spanish and non-Spanish speaking members. This could include written and verbal communication.

Auditor:

The Auditor shall audit the Treasurer's books and records annually, at the close of the school year, and prepare a written report for presentation at the next meeting. The Auditor may not be related by blood or marriage, or reside in the same household as the Treasurer, President or any authorized signers of checks.

Article VII Meetings

THS IMO requires all meetings to be run using "Robert's Rules of Order." With this in mind THS IMO will use the following guidelines in conducting all of its meetings.

Section 1: How Business is Conducted

The Chair (President) will draft an Agenda (program or general orders).
Any Board member who wishes to speak on a particular item or subject may request "it" to be added to the Agenda. The President has the discretion of where and when to place such item on the agenda or to table the item.

Each agenda will contain an area of business designated as New Business. Members may bring up discussion items to be placed on agendas at a later date or at this time.

In the case of an emergent need, 2/3 vote of the body present at the meeting can allow a vote to take place on a new business item.

Section 2: Duties of the Chair in Regard to Introducing Business

The Chair will open by taking the chair and calling meeting to order.

To announce the business before the assembly in the order which it is to be acted upon.

To state and put to vote all questions that are regularly moved in the course of the proceedings and to announce the result of the vote.

To protect the assembly from annoyance or frivolous or dilatory motions by refusing to recognize them.

To assist in the expediting of business within the rights of the members.

To restrain the members when engaged in debate, within the rules of order.

To enforce on all occasions the observance of order and decorum among the members, deciding all questions of order.

Exceptions:

Whenever a motion is made referring to the chair only or which compliments or condemns the chair with others, it should be put to vote by the Vice President, the Secretary, or by the maker of the question.

Section 3: Motion Procedures

A member who has the floor makes a motion.

The member's motion is seconded. This rule saves you from debating an issue only one person favors.

The secretary restates the motion. Only the chair may put a motion before the assembly.

Debate (Optional) – If members are debating an issue that applies to one or more members, the chair may request those members to debate the motion then request that they excuse themselves if the chair feels this will facilitate a more open and honest debate with remaining assembly members.

The chair will then "Put the question to vote".

Article VIII Voting

The usual methods of taking the votes are viva voce (by voice), by show of hands, rising, ballot, roll call (yeas or nays), or general consent.

THS IMO will use general consent "where the chair will ask if there is any objection to the proposed action".

OR

Voting by ballot. This method is used when secrecy is an issue. If the chair feels some members might hesitate to vote publicly their true feelings, the chair will call for a “vote by ballot”.

All by ballot votes will be folded before put into the ballot collection device.

Ballots will be counted by the chair and recorded by the secretary.

The chair will state the question and the outcome of the vote, which will be recorded by the secretary.

Section 1: Who is entitled to Vote

Every THS IMO member in good standing is entitled to one vote. Honorary members and Ex-Officio members have no voting rights.

THS IMO will follow the general rule “that no one can vote on a question in which he or she has a direct personal or financial interest.” Spouses are not automatically included in this statement, only if they will benefit directly from the vote.

A member can vote for himself or herself for any office or position.

A member can also vote when other members are included with him or her in a motion, even when the member has a personal or financial interest at stake.

The Chair is entitled to vote when the vote is by ballot, but must do so before the counting process has begun and, in all cases, where the vote would change the result.

Example:

If two-thirds vote is necessary, and the chair’s vote thrown with the minority would prevent the adoption of the question, he or she can vote.

OR

The Chair may also vote with the minority when it will produce a tie vote thus, cause the motion to fail.

The Chair may not vote twice on the same issue.

Example:

Once to tie the vote, then one to break the tie.

Terms

Quorum:

A quorum will be needed to transact business legally. The official quorum number will be at least two (2) of THS IMO Board Members and two (2) other non-related booster members.

The only business that doesn’t require a quorum is:

Taking measures to obtain a quorum.

Fixing the adjournment time.

To adjourn.

Article IX Funds And Disbursements

All funds received by the General Membership shall be used solely to support the THS IMO.

The Director shall present the Budget to the General Membership for their approval at the first booster meeting of the year.

The Executive Board may authorize the payment of routine organizational bills within the limits of the budget adopted by the General Membership and may authorize the payment of other bills not to exceed a cumulative total of \$500.00 between meetings of the General Membership.

Amendments to the approved budget must be presented to the General Membership for approval at the next booster meeting.

Allocated funds that have been earmarked for specific purposes shall not be diverted for other uses unless it is approved by a majority vote of General Membership in good standing and a two-thirds vote of the Executive Board.

All checks, drafts or orders for payment of monies, notes or other evidence of indebtedness issued in the name of THS IMO shall be signed by any of the following officers: President or Treasurer.

Any funds spent over budget by any person of the General membership, Executive Board, or Ex-Officio member without the consent of the General Membership will be personally accountable for those funds.

Article X Amendments

A by-law review committee can be formed when deemed necessary by the Executive Committee. The President shall head this committee. Minimum of two volunteers from the General Membership and the President shall constitute this committee. The recommendations of this committee shall be presented at the General Membership meeting in April. A postcard shall be mailed to every member in good standing after the April meeting. The postcard shall look like the following:

To the Members of the Tustin High School Instrumental Music Organization,

A new copy of the by-laws of this organization has been emailed to all members. If you did not receive this e-mail, please e-mail or call the Instrumental Music Director, or stop in at the Tustin High School Office to obtain a copy. Votes will be cast at the May meeting on May ____ at ____ in room 603. If you are unable to attend the meeting, please e-mail or write the Instrumental Music Director with your vote no later than two hours before the meeting. No phone votes will be accepted. If you have any questions, please feel free to contact the Instrumental Music Director.

Michael Fisk
Instrumental Music Director
1171 El Camino Real
Tustin, Ca 92780
mfisk@tustin.k12.ca.us
www.tustin.k12.ca.us
714-730-7414 x87603

During the May meeting, a ballot vote will take place from everyone present, who has not already voted. The ballots will be counted after the meeting by the President and the Secretary. A two-thirds vote will be needed to pass the updated by-laws. If a two-thirds vote of approval does not occur, the current by-laws are automatically voted in. Three members of the Executive Board are needed to sign a copy of the set of by-laws voted in and are to be kept with the Secretary. The new by-laws will be in effect on July 1 of that year and will be valid until a new set of By-Laws are voted in by the boosters.

Approved: 5/1/19
Date

By: Isaac
President

By: Matt Lerner
Vice-President

By: Aditya Seiner
Secretary

By: Thomas Fawcett
Treasurer