

Rockford Band Parents Organization

By-Laws

ARTICLE I – ORGANIZATION NAME

The name of this organization shall be Rockford Band Parents Organization, hereinafter referred to as the organization.

ARTICLE II – PURPOSES

The purposes of this organization are:

- A. To provide a communication link between the Band Director(s) and the Band Parents
- B. Assist in fund-raising for support of the band program
- C. Encourage parent participation in band activities and functions in order to maintain an outstanding band program
- D. Govern band parent meetings
- E. Cooperate with other parent organizations identified by the school administration
- F. To otherwise lawfully adopt policies and conduct program for the improvement of the band program, provided that the policies and programs are consistent with the requirements that the organization is NOT organized for profit and NO part of its earnings go to individuals
- G. All activities are subject to the approval of the "Director(s) of the Rockford Bands"

ARTICLE III – MEMBERSHIP & DUES

SECTION 1 – ELIGIBILITY

All parents or guardians with a student enrolled in the band program is grades 6 through 12 are members of the organization

SECTION 2 – STUDENTS

Students participation will be solicited as needed and student representation will be appointed by the Director(s) of Bands

SECTION 3 – DUES

No dues are required for membership

ARTICLE IV – OFFICERS

The officers of this organization shall be comprised of a President, Vice President, Secretary and Treasurer(s).

SECTION 1 – RESPONSIBILITIES

- A. President – Serves as the official representative of the organization, presides at all business meetings of the organization and the Board of Directors, and oversees committee chairpersons
- B. Vice President – Performs the duties of the President in their absences on inability of the President to act, and is in charge of fundraising activities
- C. Secretary – Maintains records of the proceedings of all the business meetings of the organization and the Board of Directors, and is responsible for the “Whole Note”
- D. Treasurer – Monitors the fiscal affairs of the organization and provide reports and interpretation to the membership and the Board of Directors
- E. Co-Treasurer – Monitors the student financial database and provide reports and interpretation to the membership and the Board of Directors

SECTION 2 – ELECTIONS

- A. All members are eligible for elective office. Members who actively participate in band events are encouraged to run for office. Anyone wishing to accept nomination for office will submit to an interview with the Band Director(s) and/or Board of Directors
- B. After the credentials have been discussed and approved by the Band Director(s) and the Board of Directors, the officer elect shall attend regular board meetings as a non-voting trainee
- C. In the May timeframe, incoming and outgoing Board members shall be announced via email, or at an assembly, to the band parents. Any concerns about officer elect appointments can be addressed directly to the Band Director(s)

SECTION 3 – TERMS of OFFICE

- A. The President shall be elected for a two-year period with an optional one-year extension by popular vote and shall serve until their successor has assumed office
- B. The Vice President, Secretary and Treasurer shall be elected on a yearly basis with option to run yearly and shall serve until their successors have assumed office
- C. The term of office begins at the first Board Meeting following the Spring Awards Concert or July 1st, whichever comes first
- D. If an officer resigns, the Board will appoint a successor for the remainder of that officers term

SECTION 4 – VACANCIES

- A. Elected
 - a. President
 - b. Vice President
 - c. Secretary
 - d. Treasurer
 - e. Co-Treasurer

B. Appointed (as needed)

- a. Chaperone Committee Chairperson
- b. Color Guard Committee Chairperson
- c. Concession Committee Chairperson
- d. Hospitality Committee Chairperson
- e. Inter-School Advisory Council Representative
- f. Invitational Program/Ad/Sponsors Committee Chairperson
- g. Props Committee Chairperson
- h. Publicity Committee Chairperson
- i. Road Crew Committee Chairperson
- j. RaiseRight Team Committee Chairperson
- k. Senior Committee Chairperson
- l. Spirit Committee Chairperson
- m. Uniform Committee Chairperson
- n. Webmaster Committee Chairperson
- o. Yard Sign Committee Chairperson
- p. Winter Guard Committee Chairperson
- q. Rockford Marching Invitational (RMI) Committee Chairperson

SECTION 5 – REMOVAL

Any elected official, regardless of the manner of election or appointment, may be removed by the membership by a quorum vote whenever, in its judgment, the best interests of the organization would serve. The official in question, upon request, must first be offered an opportunity to have an unprejudiced hearing at which the s/he is permitted to defend against the termination

ARTICLE V – MEETINGS & QUORUM

SECTION 1 – ORGANIZATIONAL MEETINGS

- A. The number of meetings per year, the months in which they are held, and the time and place is determined by mutual agreement of the Board of Directors and the membership
- B. Notice of the Band Parents Meeting will be sent to the membership by the "Whole Note" publication

SECTION 2 – SPECIAL MEETINGS

- A. A special meeting may be called by the President or requested by the Directors of the Band
- B. A mailing or special notice sent home with the band students will notify membership
- C. The agenda for the special meeting shall include no business other than stated in the agenda

ARTICLE VI – BOARD OF DIRECTORS

SECTION 1 – MEETING

- A. The Board of Directors shall meet at a time and place determined by mutual agreement of the Board of Directors
- B. The majority of the elected members of the Board constitute a quorum
- C. Special meeting of the Board of Directors may be called by the President or upon written request of the three (3) members of the Board of Directors

ARTICLE VII – COMMITTEES

SECTION 1 – COMMITTEES

- A. The standing committees of the organization are appointed annually by the President with the approval of the Board of Directors.
- B. Each committee shall consist of a chairperson and other member(s) as necessary
- C. Committee chairpersons are non-voting members of the Board of Directors

SECTION 2 – SPECIAL COMMITTEES

- A. A special committee may be appointed by the President and cease to exist when the purpose which it was created is completed

ARTICLE VIII – OFFICIAL PUBLICATION

The official publication of the organization is the "Whole Note"

ARTICLE IX – PARLIAMENTARY AUTHORITY

Robert's Rules of Order Newly Revised is a parliamentary authority of the organization in all cases not covered in these by-laws

ARTICLE X – AMENDMENTS

A board member at any regular meeting may propose amendments to these by-laws provided that the proposed amendments have been submitted to all members through the organization's publication

ARTICLE XI – FISCAL YEAR

The fiscal year is considered July 1st to June 30th

DISSOLUTION

If the organization should dissolve, written notice will be given to the Rockford Board of Education and the Rockford Parent and Booster Organization

End of By-Laws

ADDENDUM(S)

Conflict of Interest Policy

The purpose of the conflict of interest policy is to protect the organization's interest when it is contemplating a transaction or arrangement that might benefit the personal financial interest of a covered person or might result in a possible excess benefit transaction. This policy is intended to supplement but not replace the laws governing conflict of interest applicable to nonprofits and charitable organizations. As used in this policy,

- a) the term "covered person" means a director, officer, or member of a committee;
 - b) the term "committee" means a committee of the board of directors, but only a committee that has authority to take action on behalf of the board, and not a committee that is merely advisory to the board;
 - c) the term "interested person" means a covered who has disclosed a financial interest in a proposed transaction or arrangement; and
 - d) the term "financial interest" includes indirect interests through business, investment, nonprofit, and family relationships.
- a. Duty to Disclose. A covered person who has any financial interest in a proposed transaction or arrangement must disclose the interest, and including all material facts and circumstances, to the board or to the committee that is considering the transaction or arrangement.
- b. Decision Regarding Further Action. After the disclosure, and after such further discussion with the interested person and investigation of the facts and circumstances as may be necessary or appropriate, the board or committee shall consider whether the organization can reasonably obtain a more advantageous transaction or arrangement that does not present a conflict of interest, and decide whether to purpose an alternative transaction or arrangement or whether to proceed with the proposed transaction or arrangement despite the conflict of interest. The interested person shall not participate in the consideration of alternatives or the decision regarding further action.
- c. Violations. If the board or a committee has reason to believe that a covered person has failed to disclose a financial interest in a proposed transaction or arrangement, the board or committee shall inform the person of the reason for the belief and provide the person with an opportunity to explain the alleged failure to disclose. After considering the explanation and making such further investigation as may be necessary or appropriate, if the board or committee determines that the person has failed to disclose a financial interest, the board or committee shall take appropriate disciplinary and corrective action.
- d. Records of Proceedings. The minutes of the board and all committees must include a record of all disclosures and related actions under this policy, including

- a) the names of the persons who disclosed or otherwise were found to have a financial interest in a proposed transaction or arrangement, the nature of the financial interest, the discussions regarding the matter, including alternatives to the proposed transaction or arrangement, and the action taken in response, and
 - b) the names of the persons who were present for the discussions and votes relating to the matter.
- e. Periodic Reviews. The board or a committee shall periodically review transactions and arrangements with directors and officers, and relationships with other organizations, to ensure that the transactions, arrangements, and relationships are consistent with the organization's tax-exempt purpose and do not jeopardize the organization's tax-exempt status.

Document Retention and Destruction Policy

Under the Sarbanes-Oxley Act, it is a crime to alter, cover up, falsify, or destroy any documents with the intent of impeding or obstructing any official proceedings.

This policy provides for the systematic review, retention, and destruction of documents received or created by the organization in carrying on its activities. This policy applies to all such documents, regardless of physical form. It sets forth guidelines for how long various types of documents should be retained, and when and how they should be destroyed.

The purpose of this policy is to ensure compliance with applicable laws and regulations, to avoid the destruction of records by accident or mistake, and to facilitate the organization's operations by promoting efficiency and freeing up valuable storage space.

1. Retention Periods. The normal retention periods for various types of documents are set forth below. Documents that are not specifically described, but are substantially similar to those set forth below, should be retained for a corresponding period.
 - a. Corporate Records
 - i. Articles of Incorporation – Permanent
 - ii. Bylaws – Permanent
 - iii. Board Policies – Permanent
 - iv. Board Minutes and Resolutions – Permanent
 - v. Committee Minutes – Permanent
 - vi. IRS Form 1023 Applications
 - vii. IRS Determinations Letter
 - b. Accounting and Tax Records
 - i. Annual Audits and Financial Statements – Permanent
 - ii. Depreciations Schedules – Permanent
 - iii. General Ledgers – Permanent
 - iv. IRS Form 990 Tax Returns – Permanent
 - v. Business Expense Records – 7 Years

- vi. IRS Form 1099 Tax Returns – 7 Years
- vii. Journal Entries – 7 Years
- viii. Invoices – 7 Years
- ix. Sales Records (box office, concessions, gift shop) – 5 Years
- x. Petty Cash Vouchers – 3 Years
- xi. Cash Receipts – 3 Years
- xii. Credit Card Receipts – 3 Years
- c. Band Records
 - i. Check Registers – Permanent
 - ii. Bank Deposit Slips – 7 Years
 - iii. Bank Statements and Reconciliations – 7 Years
 - iv. Electronic Funds Transfer Documents – 7 Years
- d. Payroll and Employment Tax Records
 - i. Payroll Registers – Permanent
 - ii. State Unemployment Tax Records – Permanent
 - iii. Earning Records – 7 Years
 - iv. Garnishment Records – 7 Years
 - v. Payroll Tax Returns – 7 Years
 - vi. IRS Form W-2 Wage and Tax Statements – 7 Years
- e. Employee Records
 - i. Employment and Termination Agreements – Permanent
 - ii. Retirement and Pension Plan Documents – Permanent
 - iii. Records Relating to Promotion, Demotion or Discharge – 7 Years (after termination)
 - iv. Accident Reports and Worker's Compensation Records – 5 Years
 - v. Salary Schedules – 5 Years
 - vi. Employment Applications – 3 Years
 - vii. I-9 Forms – 3 Years (after termination)
 - viii. Time Cards – 2 Years
- f. Other Records
 - i. Construction Documents – Permanent
 - ii. Fixed Asset Records – Permanent
 - iii. Appraisals – Permanent
 - iv. Copyright Registrations – Permanent
 - v. Environmental – Permanent
 - vi. Insurance Policies – Permanent
 - vii. Real Estates Documents – Permanent
 - viii. Stock and Bond Records – Permanent
 - ix. Trademark Registrations – Permanent
 - x. Leases – 7 Years (after expiration)
 - xi. Contracts – 7 Years (after termination)
 - xii. Donor Records and Acknowledgement Letter – 7 Years
 - xiii. Grant Applications – 5 Years (after completion)
 - xiv. Correspondence (general) – 3 Years

2. Electronic Documentation. Electronic documents will be retained as if they were paper documents.
3. Storage. Documents will be stored in a safe, secure, and accessible location.
4. Review and Destruction. The secretary shall review stored documents from time to time to (i) identify documents that have limited retention periods, (ii) determine whether the applicable retention period has expired, and (iii) make appropriate arrangements for destruction of documents that should no longer be retained.
5. Legal Proceedings. If any lawsuit, administrative investigation, or other legal proceeding is commenced, or appears to be imminent, any document that may be relevant to the proceeding will be retained for the rest of the normal retention period or for one year after the proceeding is finally resolved, whichever period ends later.

Whistleblower Policy

As representatives of the organization, directors, offices, employees (if any), and volunteers are expected to observe high standards of business and personal ethics, and to comply with all applicable law and regulations. As used in this policy, "person" includes teachers, administrators, parents, and students, and "ethics violation" includes suspected violations, unless the context indicates otherwise.

1. *Reporting Encouraged*. Any person who believes or suspects that an ethics violation has occurred is encouraged to report the matter to the president (or, if the matter involves the president, to the vice president)
2. *Retaliation Prohibited*. Retaliation against any person who in good faith reports an ethics violation is prohibited. Any such retaliation is an ethics violation
3. *Good Faith*. Any person who reports an ethics violation should act in good faith and should have a reasonable basis for believing or suspecting that a violation has occurred. Any report made in bad faith, or without a reasonable basis, may be an ethics violation
4. *Response*. The president (or vice president) shall bring the matter to the attention of the board of directors. The board shall investigate the matter and take further action if necessary or appropriate to resolve the matter.