

Music Sponsors South of Middletown Township, Inc By-Laws

Article I: Organization

The Name of this organization shall be:

“Music Sponsors South of Middletown Township, Inc” (“MSS”)

Article II: Purpose

The following are the purposes for which this non-profit exists:

1. To support the activities and functions of the Middletown High School South Music department.
2. To provide support to the group upon the agreement of the Executive Board and/or General Membership as may be required.
3. To build and maintain an organization of families, guardians and faculty who help to promote the general activities of the group.

Article III: Membership and Dues

Membership in the organization shall be open to all who have students in the Music Department of Middletown High School South and interested faculty.

Membership dues shall be reviewed annually during the last organizational meeting of the prior year’s Executive Board (May) and the amount will be determined by the Executive Board. Dues shall be due and payable by October 31 of each year unless determined differently by a majority vote of the Executive Board. No dues will be accepted after the due by date.

Only members can vote.

The Fiscal Year and Membership Year of MSS is July 1 - June 30.

Article IV: Meetings

Regular Meetings of this Organization will be held monthly or as determined by the Executive Board. A re-organization meeting will be held annually.

The presence of not less than eleven (11) members shall constitute a quorum and shall be necessary to conduct business of this organization. If a quorum is not reached, any voting will be deferred to the next meeting OR a special meeting may be called by the President.

Special Meeting/Emergency Appropriations of the organization may be called by the President when he/she deems it in the best interest of the organization. Notices of such meeting shall be sent to all members at their email addresses as they appear in the membership list at least two (2) days before scheduled date set for such special meeting. Such notice will state the reasons that such meeting has been called, the business to be transacted at such meeting, and by whom it is called. No other business but that specified in the notice may be transacted at the special meeting without the unanimous consent of all members present at such meeting.

Article V: Voting

To be considered a voting member of the organization dues shall be paid for the current year by October 31. Each paid membership is entitled to one vote. At all meetings, except for the election of officers, all votes shall be by voice vote. For the election of officers, ballots shall be provided by the current secretary. However, in the case of an uncontested election for officers, a voice vote is acceptable. No voting may take place by Proxy.

Abstentions shall not be counted as votes but shall be recorded; a member who abstains from voting is deemed to acquiesce in the outcome of the vote.

All motions shall require for adoption the majority vote of members present and voting, provided that the quorum is met.

Article VI: Executive Board

The business of this organization shall be managed by an Executive Board of Officers to include:

President, Vice president/Band, Vice President/Color Guard, Secretary, and Treasurer, and other positions as proposed by the President and agreed by vote of the executive board. The Board shall also include a faculty member of the Middletown High School South Instrument Music Department to include, but not limited to the Band Director. Faculty members are voting members of the Executive Board.

The term of office is July 1 - June 30. The elected officers shall serve for the elected term of one year to be voted on annually.

The Executive Board shall have the control and management of the affairs and business of the organization. Each Executive Board Member shall have one vote and such vote shall not be done by Proxy. Any expenditure greater than Five Hundred Dollars (\$500) shall be voted on by the general membership, unless this amount has already been approved within the current year budget. Emergency Appropriations can be voted on/decided by a majority vote thru an email vote. If the appropriation is of extreme urgency that it cannot wait for a membership response, majority of the Executive Board is required to approve the expenditure and the information regarding the expense must be relayed to the general membership with 24 hours of the appropriation.

The Executive Board shall use its discretion in making policy and procedure as they determine necessary.

Upon the recommendation of the MSS President, vacancies that occur in the Executive Board during the year can be filled for the balance of the remaining term at anytime by a majority vote of the Executive Committee.

An Executive Board member may be removed with sufficient cause or inability/failure to perform defined job description. The Executive Board may entertain charges against any member and remove a member by a majority vote of the Executive Board.

Article VII: Officers of the Executive Board

The officers of the Organization shall be as follows:

The President(s) shall preside at all membership meetings, propose the agenda for meetings, appoint all committees, temporary or permanent; see that all books, reports,

and certificates as required by law are properly kept and/or filed and be one of the officers who may sign the checks or drafts of the organization. The President will review disbursements, receipts, and bank statements twice annually, preferred times are at the end of marching Band season (December) and at the end of year audit, prior to June 30. This position may be shared between two (2) members of the Executive Board and each is considered to have the full rights and powers of the office and each has a vote.

The Vice President Band (and The Vice President Color Guard) In the event of the absence of the President, the Band VP will become the Acting President, of the organization with all the rights, privileges and powers as if they had been duly elected president. Both Vice Presidents shall also serve as the respective Band/Color Guard representatives; bringing to the membership's attention any issues relative to the support of these groups. They shall also perform any duties as required by their job descriptions and as requested by the president if within their ability to do so.

The Secretary shall keep the minutes and record of the organization. He/she shall give and serve all notices to the members of the organization. They will be the official custodian of the records and may be one of the officers required to sign drafts or checks of the organization. The secretary shall attend to all correspondence of the organization and shall exercise all duties incident to the office of secretary.

The Treasurer will have the care and custody of all monies belonging to the organization and shall be solely responsible for such monies or securities of the organization. All expenditures of over \$500 shall be presented to the general membership for voting, unless already an approved expense in the current year budget. The Treasurer must be one of the officers who signs checks and drafts of the organization. The treasurer will present the report of the finances of the organization for discussion at each meeting and such report will be available for review upon the request of a voting member. The Treasurer files all necessary financial paperwork as deemed necessary by the Board of Education, the IRS, the State of New Jersey and any other regulatory body. A fiscal year budget is prepared and presented to full membership at the last general meeting of the prior year.

No officer or member of MSS shall for the reason of their office or membership is entitled to receive any salary, compensation, gifts, or rewards. The use of the organizations funds for personal expenses is forbidden.

Article VIII: Committees

All committees of this organization shall be appointed by the President and their term of office shall be for one year or less as deemed by the President.

All Committee heads and Middletown High School South Instrumental Music Department Faculty can be asked to report at all meetings.

Article IX: Amendments

These By-Laws shall be reviewed and approved annually by the Executive Board prior to July 1. The By-laws may be altered, amended, repealed, or added to by a membership quorum vote, as previously defined.

Article X: Disbanding the Organization

- A. If at any time this organization disbands (i.e. due to lack of a marching band program), all monies will be held in trust for a period up to 5 years, in the event a marching band program will be re-started. The trust will be a custodial account with two named custodians, being two unrelated past officers of the Executive Board.
- B. After 5 years, if no marching band program exists, the monies will be turned over to the Instrumental Music Department of the Middletown High School South.

By-Laws available to all membership by a document link on the Band Director's Website or made available upon request.

Reviewed and Accepted by: Elizabeth Tripp MSS President
Elizabeth Tripp

Date: 5/13/13