



# TRINITY PRIDE MARCHING BAND

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## TRINITY BAND PARENT ASSOCIATION, INC. BYLAWS

### ARTICLE I

#### **Name**

The name of this organization shall be TRINITY BAND PARENT ASSOCIATION, INC., (hereinafter referred to as “the Association”).

### ARTICLE II

#### **Purpose**

The specific purpose for which this Corporation is being organized under the Nonprofit Corporation Law of 1988 is the advancement of education support of public school music education programs at Trinity High School, Washington, Pennsylvania.

This Corporation is a nonprofit public corporation and is not organized for the private gain of any person. It is organized under the Nonprofit Public Benefit Corporation Law for charitable purposes. This Corporation is organized exclusively for charitable purposes within the meaning of Section 501(c)(3) of the Internal Revenue Service Code.

Notwithstanding any other provision of these articles, the Corporation shall not carry on any other activities not permitted to be carried on (a) by a corporation exempt from Federal income tax under Section 501(c)(3) of the Internal Revenue Service Code of 1986 (or the corresponding provision of any future United States Internal Revenue law) or (b) by a corporation, contributions to which are deductible under Section 170(c)(2) of the Internal Revenue Code of 1986 (or corresponding provision of any future United States Internal Revenue law).

This Corporation shall be operated as a nonprofit organization exclusively for the support of musical education, and as such, will support the following educational purposes:

- To stimulate and sustain an enthusiastic interest among parents, band members, student body, and members of the community

- To lend all possible support, both moral and financial, to programs and activities promulgated by or on behalf of the Trinity High School Bands
- To provide and promote fundraising and activity support to members of the Trinity High School bands
- To accept, hold, and enjoin donations, devices, bequests, grants, and trusts for the use, object, and benefit of the Trinity High School Bands and the Association.

### **ARTICLE III**

#### **General Policies**

§3.1 The Association will support Instrumental Music projects and performances.

§3.2 The Association will aid the Instrumental Music Department in ways additional to those provided by the Board of Education and subject to the approval of the administration and the School Board.

§3.3 Funds of the Association shall not be used to purchase any items or material that normally can be provided by the Administration from School District Funds.

§3.4 Funds of the Association will not be used for the benefit of any individual. §3.5

The Association shall comply with all applicable district policies and procedures.

§3.6 Benefits provided by the Association will be available to all students regardless of their ability to pay.

### **ARTICLE IV**

#### **Membership, Dues, and Voting Rights**

§4.1 All parents, guardians, or other persons with a child attending Trinity High School and actively enrolled in an Instrumental Music program, including parents or guardians of Middle School members (actively participating in the High School Marching Band), shall be considered voting members of the organization or be eligible to hold office.

§4.2 Annual dues for membership in this Association in the form of a “Fair Share” payment shall be set by the Executive Board with the approval of the voting membership.

1. The Fair Share shall be payable on or before the second Monday in October. §4.3

Membership to the Association will run from June 1 to May 31 of the following year.

## ARTICLE V

### **Student Fundraising Goal**

§5.1 The proposed Fair Share amount shall be set by the Executive Board prior to the first general meeting in September and shall be based on a budget figure submitted by the Band Director. The fundraising goal and budget shall be submitted to the general membership for approval at the September meeting.

§5.2 Students are credited only with amounts they raise or help raise by selling a product (e.g. candy bars, flowers) or performing a service (e.g. car wash).

§5.3 Payments made by parents for band activities will be credited to each individual account balance.

§5.4 Contributions made to the Association by a donor may not be earmarked and credited to support a specific student.

§5.5 Students understand that all monies raised are the property of the Association.

§5.6 The Association must control the funds and determine what portion, if any, of the amounts raised may be credited to students who assisted with the fundraising.

§5.7 All amounts raised are used for the tax-exempt purposes of the Association.

§5.8 The Association has sole discretion in determining how Association funds are utilized.

§5.9 Parents and students may not withdraw funds from a student fundraising account to use as they wish.

1. The parent or guardian of a student who will no longer be enrolled in an Instrumental Music program (as outlined in Article IV) due to the student's graduation from school or departure from the program may designate the assignment of any remaining funds from that student's fundraising account to the account of another student who is a member of the same household (e.g. sibling) and under the care of the same parent or guardian. The Treasurer must be informed of the request in writing and will affirm that the transfer is completed.
2. Alternatively, a parent or guardian of a student who will no longer be enrolled in an Instrumental Music program may designate the assignment of any remaining funds from that student's fundraising account to the Music Scholarship Fund, provided that no student who is a member of the same household (e.g. same student or sibling) is applying to receive any monies from the Fund.

§5.10 Students who leave the organization are not entitled to recover any funds credited to their name.

1. Any remaining funds become the property of the Association and shall be transferred to the general fund unless otherwise designated as described in §5.9.
2. Any negative balances reflect an amount due the Association by the student and shall be paid in full by the end of the membership year (May 31) or the last full day of the school year, whichever is earlier.

## ARTICLE VI

### **Officers and Duties**

#### §6.1 PRESIDENT.

The President shall:

1. Preside at all general meetings of the Association
2. Serve as presiding officer of the Executive Board
3. Serve as member ex-officio of the Executive Board
4. Serve as member ex-officio of all standing committees
5. Serve as liaison between the Association, Band Director, and the School Board

#### §6.2 VICE PRESIDENT.

The Vice President shall:

1. Assume the duties and responsibilities of the President in his/her absence
2. Assist the President as requested
3. Assume the office of President in the event the President cannot complete his/her term of office
4. Serve as chairperson and coordinate the activities of the Festival and Cash Bash Committees

#### §6.3 SECRETARY.

The Secretary shall:

1. Keep such records and minutes which will give an accurate account of the business of this Association
2. Prepare, prior to each meeting, an order of business for the use of the presiding officer and membership, showing in their exact order, under the correct headings all matters known in advance that are due to come up
3. Keep an accurate record of the members in attendance at all general meetings and Executive Board meetings
4. Keep an up-to-date membership list
5. Be responsible for keeping, maintaining, and preserving all documents, letters, supplies, and materials that belong to the Association
6. Conduct correspondence of the Executive Board
7. Serve as member ex-officio of the Festival and Cash Bash Committees and chair sub

committees as appointed by the Vice President

#### §6.4 TREASURER.

The Treasurer shall:

1. Receive all funds on behalf of the Association and provide appropriate receipts
2. Deposit all funds in a depository to be approved by the Executive Board
3. Pay such bills and allotments which are approved by the Executive Board
4. Keep and maintain an accurate ledger of the financial business of the Association
5. Prepare a monthly report to the general membership which measures financial performance against the budget
6. Prepare a monthly report showing the status of each student's account
7. Provide all necessary documentation to the accountant for annual 990 filing, which must be completed on or before October 31 of each year
  - a. The Treasurer shall then confirm the results, submit the filing to the Internal Revenue Service (IRS), and report to the Executive Board
8. Issue and monitor all contracts to the independent contractors providing services to the Association
  - a. Provide annual 1099-MISC forms to these contractors as required by IRS regulations
9. Renew, obtain, and update as needed such items as the Small Games of Chance License, tax filings, Pennsylvania state not-for-profit registration, Pennsylvania state sales tax exemption certification, and Articles of Incorporation
10. Prepare the records for an independent audit at the end of the school year.
11. Serve as member ex-officio of the Festival and Cash Bash Committees and chair subcommittees as appointed by the Vice President.

#### §6.5 FUNDRAISING CHAIR.

The Fundraising Chair shall:

1. Plan and get Executive Board approval for the full schedule of yearly fundraising activities
2. Responsible for parent/student fundraising communication, distribution of order forms, order collection, and delivery of goods
3. Maintain an accurate record of individual student fundraising efforts and report them to the Treasurer for accurate record keeping
4. Serve as member ex-officio of the Festival and Cash Bash Committees and chair subcommittees as appointed by the Vice President.

#### §6.6 BAND DIRECTOR.

The Band Director shall:

1. Act in an advisory capacity

2. Make requests necessary for the welfare of Trinity Senior High School Bands 3. Act as an ex-officio member of the Festival Committee and chair sub-committees as appointed by the Vice President

#### §6.7 EXECUTIVE BOARD.

The Executive Board shall:

1. Initiate general policies for the approval of the membership
2. Assist in the administration of the affairs of the Association
3. Conduct the business of the Association when it is impractical or inexpedient to hold a general meeting
4. Approve the expenditure of funds, not to exceed the unobligated balance
5. Approve committee selections
6. Approve standing committee projects
7. Appoint an independent auditor to perform an audit of the financial records of the Association
8. Appoint all special committees
9. In the event of the dissolution of the Association, after authorized payment of all outstanding debts, donate the remaining money and assets to the High School Band program

### **ARTICLE VII**

#### **Finances**

§7.1 BUDGET. The Executive Board shall present to the membership at the first regular meeting, after the officers have been elected or as soon thereafter as practicable, a budget of anticipated revenue and expenses for the year. This budget shall be used to guide the activities of the organization during the year, including serving as approval for anticipated expenditures. Any substantial deviation from the budget must be approved in advance by the membership.

§7.2 OBLIGATIONS. The Executive Board may authorize any officer or officers to enter into contracts or agreements for the purchase of materials or services on behalf of the Association.

§7.3 LOANS. No loans shall be made by the Association to its officers or members.

§7.4 CHECKS. All checks, drafts, or other orders for the payment of money on behalf of the Association shall require two signatures: the Treasurer and the President or other designated officer in his/her absence.

§7.5 BANKING. The Treasurer shall deposit all funds of the Association to the credit of the Association in such banks, trust companies, or other depositories as the Executive Board may select and shall make such disbursements as authorized by the Executive Board in accordance with the budget adopted by the membership. All deposits and/or disbursements shall be made as

soon as practicable upon receipt of the funds and/or orders of payment.

§7.6 FINANCIAL CONTROLS. The Association shall implement and maintain appropriate financial controls to ensure the integrity of its funds. Specifically, without limitation, the organization shall maintain separation of financial controls so that, minimally:

1. All expenses must be approved by the membership by way of an approval of an annual budget, or amendments thereto, or be approved by separate resolution of the Executive Board;
2. An officer or other person without check signing authority designated by the Board shall review all band statements; and,
3. The Executive Board shall annually audit all corporate finances or hire and supervise an outside accountant or auditing firm to conduct a review of corporate financial records.

§7.7 FINANCIAL REPORT. The Treasurer shall present a financial report at each membership meeting of the Association and shall present a final report at the close of the year in accordance with the Association's financial policies. The Executive Board shall have the report and the accounts examined annually.

§7.8 FISCAL YEAR. The fiscal year of the organization shall be from June 1 to May 31 of the following calendar year but may be changed by resolution of the Executive Board.

§7.9 RECORD RETENTION. All records of the organization shall be maintained and destroyed in accordance with law and standard record retention guidelines. Financial records shall be maintained as follows:

RECORDS	HOW TO STORE	PERIOD OF TIME
Year-end Treasurer's financial report/statement; Form 990	Store in Corporate record book	Permanent
Monthly Treasurer's reports	Compile and file records on a yearly basis	Three years. Store with financial records. Destroy securely after three years.
Bank statements, canceled checks, check registers, invoices, receipts, cash tally sheets, investment statements, fundraising records, and related documents	Compile and file records on a monthly basis	Seven years. Store with financial records. Destroy securely after seven years.

## **ARTICLE VIII**

### **Elections**

§8.1 The officers shall be elected each year at the April meeting and shall assume office on the following June 1; these officers shall continue in office until the following May 31.

§8.2 Candidates for office shall be parents or guardians of current instrumental band members.

§8.3 Nominations for officers may be made from the floor at the February and March meetings. The consent of all candidates must be obtained before their name is placed in nomination.

§8.4 The officers shall be elected by ballot at the April meeting. In the event there is but one candidate for an office, a vote, by show of hands, may be taken.

§8.5 No officer shall serve more than two (2) consecutive terms in the same office.

§8.6 The Executive Board shall elect a member of the Association to fill any office which becomes vacant during the year. The selectee will serve the remainder of the unexpired term.

§8.7 All Executive Board members are exempt from having to pay Fair Share for their respective student(s).

## **ARTICLE IX**

### **Standing Committees**

§9.1 Committee chairpersons shall be appointed by the officers.

§9.2 The Standing Committees shall be made up of volunteers from the general membership.

§9.3 Members may serve on more than one committee.

§9.4 Committees shall meet upon the call of the Chairperson of the Committee or the President.

§9.5 The President and Band Director are ex-officio members of all committees without a vote.

§9.6 The Committee Chairperson shall submit a report on his/her activities at each Executive Board meeting for approval. The Committee Chairperson shall submit a written summary of the year's work of his/her committee, with recommendations for the next year, to the President prior to the May meeting.

§9.7 The Committee Chairperson shall be responsible for orienting the new Chairperson succeeding him/her to the duties and responsibilities of that position and its committee. He/She shall be responsible for keeping a current ledger of expenses and submitting a written report to the Executive Board prior to the May meeting.



## ARTICLE X

### **Duties of Standing Committees**

§10.1 CHAPERONES. The Chaperone Committee shall see that the parents are on hand when requested by the Band Director. Chaperones shall be required to pass all clearance checks required by Pennsylvania state law for the current school year.

§10.2 HOSPITALITY. The Hospitality Committee shall make necessary arrangements for meals, refreshments, and baked goods for Band and Association functions.

§10.3 MEMBERSHIP/RECRUITMENT. This Committee shall contact all parents and/or guardians interested in the Association and shall enroll them as members. This committee will also assist the Band Director in the planning of the yearly Band Awards Banquet and other recruitment efforts, such as the fall Junior High Band Night and spring Ice Cream Social during 8<sup>th</sup> Grade Move-Up Night.

§10.4 CONCESSION STAND. The Concession Stand Committee shall be responsible for organizing and operating the concession stand as outlined in Article XIV of the Bylaws.

§10.5 BAND FESTIVALS. The Band Festival Committee shall be responsible for organizing and making proper arrangements for the Fall Band Festival.

§10.6 CASH BASH. The Cash Bash Committee shall be responsible for organizing and making proper arrangements for the annual Cash Bash.

§10.7 TRANSPORTATION. The Transportation Committee will be responsible for the transportation of the trucks and trailers for all performances and rehearsals as requested by the Band Director. The Transportation Committee will also be responsible for communicating needed repairs and upkeep of the trailers to the Executive Board and the School Administration.

§10.8 UNIFORM. The Uniform Committee will be responsible for the distribution, care, cleaning, maintenance, and storage of the marching band uniforms.

## ARTICLE XI

### **Meetings**

§11.1 The regular meetings shall be scheduled monthly during the year at Trinity High

School. 1. Regular meetings are not held in June, July, August, or December.

§11.2 Additional meetings, change of location, or change of time of meeting may be made by the Executive Board. In all such cases, notification will be made by a board officer via the standard

communication methods in place (e.g. email, website, social media, other notification systems).

§11.3 The Executive Board shall meet prior to each Association general meeting.

§11.4 The members present at any general meeting shall constitute a quorum.

§11.5 At least fifty (50) percent of the members of the Executive Board must be present at the Executive Board meetings to constitute a quorum.

§11.6 On matters requiring a formal resolution in Executive Board meetings, there shall be one vote for each Standing Committee.

## **ARTICLE XII**

### **Amendments**

§12.1 The Bylaws may be amended at any general meeting provided that written notice of such amendment has been given at the previous regular meeting. An amendment shall become a part of the Bylaws by two-thirds vote of the membership present.

§12.2 A special committee may be appointed by the Executive Board to submit a revised set of Bylaws. The requirements for adoption of a revised set of Bylaws shall be the same as in the case of an amendment. Revised Bylaws shall become effective immediately upon approval by the general membership.

§12.3 The Bylaws shall be subject to review every four years by the Executive Board.

## **ARTICLE XIII**

### **Parliamentary Authority**

§13.1 The rules contained in *Robert's Rules of Order Newly Revised* shall govern this Association in all cases to which they are applicable, and in which they are not inconsistent with the Bylaws or the special rules to which they are applicable, and in which they are not inconsistent with the Bylaws or the special rules of order of this Association.

§13.2 The order of conducting meetings:

1. Call to Order
2. Comments from the presiding officer
3. Reading of the minutes
4. Reading of correspondence
5. Report of the Treasurer
6. Committee reports

7. Unfinished business
8. New business
9. Program (if any)
10. Adjournment

## **ARTICLE XIV**

### **Concession Stand Committee**

§14.1 The Concession Stand Committee shall consist of four officers in total (two band parents and two football parents): Co-Chairs (one football parent and one band parent), Secretary, and Treasurer.

§14.2 All checks or disbursements of funds shall require two signatures: one band and one football member.

§14.3 All concession stand moneys earned during football games (e.g. Varsity, JV, scrimmages, playoff games) and band functions (e.g. festivals, competitions) will be deposited in the joint account.

§14.4 All monies spent on items in excess of \$100.00 other than food must first be approved by both the Football Boosters and Trinity Band Parents Association.

§14.5 A report of all expenditures and money received will be made to the Trinity Band Parents Association and Football Boosters every month prior to their respective monthly meetings.

§14.6 At the end of the marching/football season, \$1500 will be left in the account for the next year. The remaining balance will be split evenly between the Trinity Band Parents Association and the Football Boosters.

§14.7 Each organization shall supply an equal number of workers for all varsity football games and band festival/competitions, including 8<sup>th</sup> grade, 9<sup>th</sup> grade, JV games, and all other functions where the Concession Committee operates the stand.

§14.8 Work shift scheduling will be coordinated between the band and football Concession Stand officers.

§14.9 Keys are to be turned over to the President of each organization or their designated representatives at the end of the year. No keys will be given to anyone without the express permission of both Concession Stand Committee Chairs.

§14.10 Efforts to sell or return remaining supplies at the end of the season will be made by the Concession Stand Committee officers.

§14.11 Lists of items to be bought and things to do will be turned in to the organization Presidents at the end of the season.

§14.12 At the end of the season, a clean-up detail will be formed by the Committee officers; the

concession stand will be cleaned and made ready for the next year.

§14.13 The Committee Secretary will send thank-you notes to all donors and will handle all correspondence for the Committee.

§14.14 In order for the Association to benefit from the Concession Stand profits, representatives from families are expected to work one (1) full shift on three (3) separate events for each child in the band.

## **ARTICLE XV**

### **Dedication and Dissolution**

§15.1 All corporate property is irrevocably dedicated to the purposes set forth in Article II. No part of the net earnings of this corporation shall benefit of any of its directors, trustees, officers, private shareholders or members, or to individuals.

§15.2 On the winding up and dissolution of this corporation, after paying or adequately providing for the debts, obligations, and liabilities of the organization, the remaining assets of the corporation shall be distributed to such organization (or organizations) organized and operated exclusively for charitable purposes which has established its tax-exempt status under Section 501(c)(3) of the Internal Revenue Service Code of 1986 (or the corresponding provision of any future United States Internal Revenue law) and which has established its tax-exempt status with the Pennsylvania Department of Revenue (Form REV-72).

## **ARTICLE XVI**

### **Limitation on Corporate Activities**

No substantial part of the activities of this corporation shall consist of the carrying on of propaganda, or otherwise attempting to influence legislation, nor shall this corporation participate or intervene in any political campaign (including the publication or distribution of statements) on behalf of or in opposition to any candidate for public office.

These Bylaws were amended, updated, and passed by Trinity Band Parents Association members on June 1, 2022.