

**2012**

**GJHS Performing Arts  
Booster Club, Inc.  
Bylaws**

# **BOOSTER CLUB BYLAWS**

By-laws for the GJHS Performing Arts Booster Club, Inc. Approved November 10, 2012.



George Jenkins High School, Lakeland Florida  
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### **Statement of Purpose**

The purpose of the George Jenkins High School Performing Arts Booster Club, Inc. (herein the “**Boosters**”) is to support the educational experience of the students involved in the **Chorus and Musical Theatre Programs** at George Jenkins High School (herein the “**School**”). To this end, the **Boosters** advocate the importance of music and musical drama within the context of a total educational environment, and will dedicate itself to the emotional, public and financial support of the **Chorus and Musical Theatre Programs** at George Jenkins High School.

The general *purposes* for which this corporation is organized are exclusively charitable, scientific, literary and educational within the meaning of Section 501(c)(3) of the Internal Revenue Code or corresponding provision of any future United States tax code.

Notwithstanding any other provision of these Articles, this organization shall not carry on any activities not permitted to be carried on:

- A. By any organization exempt from federal income tax under Section (c)(3) of the Internal Revenue Code of 1986, the corresponding provision of any future United States tax code; or
- B. By a corporation contributions to which are deductible under Section 170(c)(2) of the Internal Revenue Code, or the corresponding provision of any future United States tax code.

No part of the net earnings of the corporation shall inure to the benefit of, or distributable to, its members, trustees, officers, or other private persons, except that the corporation shall be authorized and empowered to pay reasonable compensation for services rendered and to make payments and distribution in the furtherance of the purposes set forth herein. No substantial part of the activities of the corporation shall be the carrying on of propaganda or otherwise attempting to influence legislation, and the corporation shall not participate in or intervene in any political campaign on behalf of or in opposition to any candidate for public office, including publishing or distribution of statements.



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### **Article I – Membership**

Parents or legal guardians of current and incoming Chorus and Musical Theatre students will be considered **Members** upon receipt of the annual chorus and Musical Theatre fee payments. If said fees are not paid in full, the first portion of the fee payment will be applied toward the membership fee. Payment of the Chorus and Musical Theatre fee is due by the last day of September for the current school year.

Friends of the **GJHS Performing Arts** may make individual written application for membership. A membership fee will be collected upon acceptance of application from Friends of the **GJHS Performing Arts**. This payment will qualify the applying individual(s) for active membership. Such qualified individuals are herein referred to as **Member(s)**.

The **Boosters** maintains the right to deny membership to individuals who are barred from volunteer service by the **School** or who have previously been subject to **Board** action due to behavioral issues.

**Members** who have paid one-hundred percent of due **Chorus, Musical Theatre** and **School** (uniform rental and uniform cleaning) fees that apply to them for the current and any prior school years, are herein referred to as **Member(s) in good standing**.

**Members** who have not paid one-hundred percent of their due School and Chorus or Musical Theatre fees, but have committed to future service opportunities whose credits are sufficient to make them fully paid for the current and any prior school years, are herein also referred to as **Member(s) in good standing**.

### **Article II – Board Members**

The Board of Directors (herein the “**Board**”) shall be composed of (A) the **President, Vice President, Secretary, Treasurer** (collectively referred to herein as “**Officer(s)**”), (B) up to **three (3) At-Large Board Members**, (C) the **Chorus/Musical Theatre Director** (herein the “**Director**”) and (D) the members of the Student Leadership Team (herein referred to as **Student Members**). With the exception of the Director and the Student Members, the Officers and At-Large Board Members shall be Member(s) in good standing.

The Board of Directors is responsible for conducting the business of the Performing Arts Boosters Club in accordance with the bylaws herein.



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### **Article III – Meetings, Quorum, Voting Procedures**

**Section A.** – The **Board** shall meet in open session at least (6) six times per year. Such meetings, herein referred to as **Board Meetings**, are open to all **Members**. Notice of time and place of **Board Meetings** will be announced to **Officers, At-Large Board Members** and **Members** within a reasonable period of time prior to the meeting.

The **Board** may meet in **Executive Session** for the purpose of long-range planning and discussion of sensitive issues. No notice or public record need be made for such meetings. It is strictly prohibited to do normal and customary **Boosters** business during **Executive Sessions**.

It is expected that all **Board** Members attend at least 2/3 of all scheduled **Board** Meetings and Executive Sessions. These meetings will be scheduled and posted prior to Chorus and Musical Theatre Camp. **Executive Board** members are required to notify the **President** if they are unable to attend any of the **Board** meetings and Executive Sessions.

**Section B.** – There shall be at least four (4) scheduled general membership meetings (herein referred to as **General Boosters Meetings**) during the fiscal year July 1<sup>st</sup> through June 30<sup>th</sup>. The calendar for the **General Boosters Meetings** shall be set by the **Board** in coordination with the school administration.

**Section C.** – **Special Meetings** may be called by the **President** and two **Members in good standing** or at the request of the **Director**. Notice of **Special Meetings** shall be given at least one (1) week in advance when possible.

**Section D.** – All meetings will be governed by parliamentary procedures and in accordance with **Robert’s Rule of Order**.

**Section E.** – A majority of the **Board** shall constitute a quorum at any **Board** meeting.

**Section F.** – Each **Officer, At-Large Board Member**, and the **Director** is vested with a single vote on motions being brought to a vote. **Student Board Members** in attendance are allowed two votes collectively. The **President** and the **Director** may regularly choose to abstain from voting unless their votes are needed to achieve a desired result. **Any Board Member** not attending the meeting may vote via phone, email, text message, IM or proxy with advanced notice being given to the **President**.



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**Section G.** – The **President** shall appoint a **Nomination Committee** of at least three (3) individuals, all of whom are **Members in good standing**, and at least one (1) of whom shall be an **Officer** of the **Board**.

**Members in good standing** who wish to be considered for a **Board** position must make their interest known to the **Nomination Committee** by a date published by the **Nomination Committee**. The **Nomination Committee** must (1) advertise this deadline at the third to last **General Boosters** meeting, (2) meet to select the **Slate of Nominees**, and then (3) present the **Slate of Nominees** at the second to last **General Boosters** meeting of the year.

1. Nominations may be taken from the floor at the third to last **General Boosters** meeting as the process is opened up. Any floor **Nominees** not present to confirm their desire to serve on the **Board** may be disqualified. A **Nomination Committee** Member may call a **Nominee** to confirm his/her willingness to be nominated prior to finalizing the **Slate of Nominees**.
2. The **Nomination Committee** shall prepare a **Slate of Nominees** consisting of one **Nominee** for each of the **Officer positions** to be presented at the second to last **General Boosters Meeting** of the year. The **Nomination Committee** will thoroughly review each and every potential **Nominee's** qualifications, in accordance with the guidelines below, to determine which, if any, position the **Nominee** will be slated for.
  - A. The **Nominees** must meet minimum levels of active contribution to the workload of the **Boosters** such as **Board** or volunteer participation and/or fundraising efforts. Parents or guardians of incoming freshmen or transfer students must have a verifiable history of volunteer service.
  - B. The **Nominees** must, by their words and actions, demonstrate their adherence to volunteer guidelines published by the school board and support the mission of the **Boosters**.
  - C. The **Nominees** must demonstrate an effective leadership presence that motivates others to support and contribute to the execution of the **Boosters'** mission.

The **Nomination Committee** will *not* consider a **Nominee** to whom any of the following apply:

- A. The **Nominee** is not a **Member in good standing**.



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- B. The **Nominee** has a documented history of disruptive or inappropriate behavior.
- C. The **Nominee** has been convicted of a crime of a nature precluding unsupervised association with **Students**.
- D. The **Nominee** has been barred from volunteer service by any school or school board.

The **Nomination Committee** will determine the number of **At-Large** positions to be added to the **Slate of Nominees**. There may be none (0), or up to three (3) positions at the discretion of the **Nomination Committee**. The number of positions may vary from year-to-year based on the succession needs of the **Board** for the upcoming year. There will be one name per **At-Large** position on the **Slate of Nominees**.

One or more **At-Large** position must be left open and not filled at the spring election. This **Board** position is held open to allow the **Board** to add an individual that distinguishes him/herself at the start of the new school year (i.e. a new **Member**).

The nomination process is closed upon adjournment of the second to last meeting, except for replacement of a **Nominee** who becomes unavailable subsequent to adjournment.

The **Nomination Committee** will present a final paper **Ballot** with one **Nominee** for each **Officer** position and any **At-Large** position(s) at the last **General Boosters Meeting** of the school year. **Officers** and **At-Large** positions shall be elected (as a group from the **Ballot**) by a majority vote of the **Members in good standing** present.

Upon tallying of the vote of the **Members in good standing**, the newly elected **Board** shall be announced, the new **Board** will take office on July 1<sup>st</sup> and will serve for one (1) year unless they resign or are removed during the year. Marked **Ballots** will be kept securely by the **Director** for three (3) days for auditing purposes.



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If the **Presidency** becomes vacant, that position will be filled by **Vice-President**. If the Vice-President is not available to fill that role, then the position will be opened up to other **Board** Members. Other open **Officer** positions may first be filled at any time by a vote of the **Board** to name either another **Officer** or an **At-Large Member** to fill the position. If any vacancies cannot be filled from within the currently elected **Board**, then the position(s) may be filled from the general membership.

Open **Officer** or **At-Large** positions may be filled any time following the start of the school year up until the time the **Slate of Nominees** for the following school year is announced.

The nomination of a replacement **Officer** from the general membership will be presented for a vote at either the next scheduled **General Boosters Meeting** or at a **Special Meeting**.

The process for filling such open position(s) is as follows:

1. The vacancy will be advertised at either the next **General Boosters Meeting**, , at a **Special Meeting**, or through other means of communication to reach the greatest number of people.
2. The **Board** must approve the **Nominee** by a vote of at least all **Board** members minus one (1).
3. The name of the approved **Nominee** will be presented to the **Members** at least two (2) weeks prior to the next **Special** or **General Boosters Meeting** in which a motion will be made to add the approved **Nominee** to the **Board**.
4. Following the prescribed notice, a motion will be made at a **General** or **Special Boosters Meeting** to add the approved **Nominee** to the **Board**. The **Nominees** will be elected to the **Board** if they receive a vote of at least two thirds (2/3) of the **Members in good standing** present.

### **Article IV – Duties of Board Members**

**Section A.** - The **President** shall preside at all **Board, General** or **Special Boosters Meetings**, appoint all committee **Chairpersons**, and shall be ex-officio of all committees or appoint a **Vice-President** in his / her place.





# Performing Arts Booster Club, Inc. Bylaws



It is the duty of the **President** to direct the **Board**, **Committees** and **Members** in such a way that all **Boosters'** projects are implemented in a timely manner, have adequate volunteers to accomplish the task and that the overall project reflects the goals and vision of the **Program**. The **President** does not have to work on all projects, but should be willing to step in and assist if needed.

The **President** should serve as the primary representative and spokesperson for the **Boosters**. Either the **President** or **Vice-President** should take an active role and attend meetings, especially when there are any controversial issues or topics involved. If neither is available, they should appoint a representative.

**Section B.** - The **Vice-President** shall assume all duties of the **President** in his / her absence and serve as ex-officio if appointed by the **President**, having the same authority as the **President**

The **Vice-President** shall oversee fundraising activities, research fundraising options and present ideas to the **Board** for approval.

The **Vice-President** shall preside over any **Board**, **General** or **Special Boosters Meetings** in place of the **President**, should he or she be unable to attend.

The **President** and **Vice-President** shall be signatories on the **Boosters'** financial accounts along with other **Officers** as decided by the **Board**.

Both the **President** and **Vice-President** shall attend any and all official **General Boosters Meetings** and events (unless an extenuating circumstance is present that prevents attendance).

**Section C.** - The **Secretary** shall record the Minutes of all **Board**, **General** and **Special Boosters Meetings** and shall notify the **Board** and **Members** in advance of **Board**, **General** and **Special Boosters Meetings**. He / she shall present a copy of the Minutes from the previous **Boosters** meeting for approval by the **Members** at every meeting. He / she shall keep record of attendance at all **Board**, **General** and **Special Boosters Meetings**. The **Secretary** will be responsible for publishing a newsletter as directed by the **President**. He / she will keep an updated list of all **Board** members and committee **Chairpersons**, their home, cell and work telephone numbers and e-mail addresses, as well as the home and work numbers of all **Chorus and Musical Theatre students** and their **parents**. He / she shall also perform such duties as directed by the **President**.



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**Section F.** – The **Treasurer** shall prepare a proposed budget (in consultation with the **Board**) to be presented at the first annual **Boosters** Meeting for approval of the **Members**. The **Treasurer** shall be responsible for the maintenance of the **Boosters'** general fund and individual **Student** accounts. The **Treasurer** shall be responsible for collecting all money, writing checks, issuing receipts, and depositing funds in the **Boosters'** account. The **Treasurer** shall present a financial statement at every **Board** and **General Boosters Meeting**. This financial report shall include a beginning balance and reconciled monthly bank statements. The **Treasurer** may authorize a **Member in good standing** to collect money at **Boosters** activities. This **Member in good standing** should have completed a minimum one year of **Boosters** membership and be trustworthy in the opinion of the **Treasurer**.

Whenever monies are collected from fundraising activities, the **Treasurer** or authorized **Member in good standing** will complete a form for recording any beginning balances and the monies collected. The counts on this form are to be verified by a witness to the counting.

It is the **Treasurer's** responsibility to assure that the books are: 1) closed and reviewed no later than 30 days after the end of the fiscal year (June 30<sup>th</sup>). 2) That the review is conducted by an independent 3<sup>rd</sup> party named by the Booster Club Board; and 3) that the incoming Treasurer is included in that review. The board shall make every effort to select an accounting professional as the "independent 3<sup>rd</sup> party."

The **Treasurer** must maintain all appropriate accounting records, and shall keep current all fees pertaining to corporation status and tax filing, and submit records for an annual tax review.

The **Treasurer** will maintain a ledger reflecting an account balance for each **Student** (and others as appropriate) as a way to record money allotted to the individual **Student** from payments and fundraising activities. A record of such balances will be maintained at the **Director's** office. Funds collected for credit to **Student** accounts will be recorded and kept in the **Director's** office until printed records are updated.



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**Section G.** – The **Student Members** represent the needs and point of view of the students at all **Board, General or Special Boosters Meetings**. The Student Members shall keep an updated list of all Chorus and Musical Theatre students, including complete contact information for each Student and his / her Parent / Guardian. This list will be provided to the **Board** at the beginning of the school year. It is expected that the Student Members will work as a full participants of the Board, sharing in the budgeting, decision-making and work required in accomplishing the Boosters' mission.

**Section I.** – The **Director** is expected to make his / her best effort to work with the **Board** in a cooperative manner. Ideally, the **Board** will serve the **Director** as a source of support, encouragement and constructive advice. In all cases, the **Director** (with the support of his / her superiors) has the clear authority to make all decisions regarding the **Chorus and Musical Theatre Programs**.

**Section J.** – **At-Large Board** members shall perform reasonable duties as assigned by a majority vote of the **Board**.

### **Article V – Political Endorsement**

The **Boosters** at no time will endorse or recommend any candidate for political office.

### **Article VI – Solicitation of Funds**

No funds will be solicited from **Members** during any **Board, General or Special Boosters Meetings** by any individual or outside group. Any suggestions or propositions made at any **Board, General or Special Boosters Meetings** will be referred to the **Vice-President**.

### **Article VII - Committees**

**Section A.** – The **Director** will be an **ex-officio member** of all committees.

**Section B.** – All committees will consist of a **Chairperson** and as many members as is considered necessary by the **President**.

**Section C.** – Each committee, through its **Chairperson**, will report either verbally or in writing each month to the **Board**.



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### **Article VIII – Accountability**

It is fully understood that the **Principal** of the **School** is directly responsible for all activities as outlined by the Florida High School Activities Association; therefore, any action taken by the **Boosters** may be subject to approval by the **Principal** or his / her designee. This Corporation shall function in compliance with the published policies of the Polk County School Board.

### **Article IX – Responsibility**

It is fully understood that the **Chorus and Musical Theatre** Programs supported by this Club and Corporation is both a curricular and extra-curricular activity. The curricular elements within school time are the sole responsibility of the **Director** and his / her superiors. Any extra-curricular activity dealing with finances, programs or activities requiring participation or support by the **Boosters** shall be with the advice and consent of the **Board**.

### **Article X – Expenditures**

The **Board** shall approve an annual budget of expenditures. The **Director** or designated **Officer** (other than the **Treasurer**) is authorized to make such approved budgeted expenditures without expressed **Board** approval as long as (A)the **Treasurer** is consulted in advance and (B) the expenditure is less than \$2000.00.

The **Board** shall approve any individual unbudgeted expenditure by the **Director** in excess of \$250.00. The **Director** shall not make accumulated unbudgeted purchases in excess of \$500.00 per year without consent of the **Board**.

The **Board** shall have authority to approve all unbudgeted expenditures of the **Boosters** of more than \$250.00 but less than \$2000.00. Expenditures in this cost range must be presented to the **Board** for approval prior to the expense being incurred.

Authorization for individual expenditures equal to or more than \$2000.00, whether budgeted or un-budgeted, must be recommended by the **Board** in the form of a motion for approval by the **Members** at a **General Boosters Meeting** before the expense is incurred.

### **Article XI – Records and Property**

**Section A** - A copy of the By-Laws, the annual financial report, and Minutes of each **Board** and **Boosters Meeting** shall be kept on file in the office of the **Director**.



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**Section B** - Uniforms, music, costumes, props and all equipment or assets purchased, or by other means acquired, by the **Boosters** shall be classified as property of the Polk County School Board and shall be placed on their inventory.

**Article XII - Removal of Officers / Directors / Members**

**Section A-** The **Board** shall have the authority by two-thirds (2/3) secret ballot of the **Board** to remove from its membership any **Officer, At-Large Board Member, or Member** (A) whose conduct, attendance, or achievement records are not in keeping with the policies or best interest of the **Boosters** or (B) who fails to perform his / her duties in a manner consistent with the Mission of the **Boosters**, or (C) who consistently or grossly fails to conduct himself / herself in a respectful, orderly and non-disruptive fashion towards fellow **Members** or **Students** or at any **Boosters** activity. The individual in question shall be notified of the time and intent of such action.

**Article XIII - Dissolution**

In the event that the **Boosters** should be dissolved for any reason, all inventory and money belonging to the organization shall go to the **School** for its use in the **Chorus and Musical Theatre Programs**.

**Article XIV – Amendments**

These by-laws may be amended once annually by a two-thirds (2/3) vote of the **Members in good standing** present at a **General Boosters Meeting**.

Additional modifications may be made only in the event of urgent need. Such need must be determined by a unanimous vote of all **Board** members and the **Director**. These amendments require a three-fourths (3/4) vote of the **Members in good standing** present at a **General Boosters Meeting**.

Proposed amendments shall be available to all **Members** two (2) weeks prior to the vote.



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### **Article XV – Indemnification**

Any director, past or present, of the Board of Directors or any officers, past or present, shall be indemnified and held harmless from any and all claims, demands, losses, causes of action, damages, lawsuits, judgments, including attorneys' fees and costs, direct, indirect, or consequential arising out of or relating to the director's or officer's performance or non-performance of his or her duties, out of any statement, vote, or decision of such director or officer. Unless the director or officer willfully committed the following infractions:

1. A violation of criminal law.
2. A transaction pertaining to the GJHS Performing Arts Booster Club, Inc. from which the director or officer derived an improper personal benefit, either directly or indirectly.
3. An act committed in bad faith, recklessness, malicious intent or wanton or willful disregard for human rights, safety or property.

The Board of Directors may, by a majority vote decide:

1. That there is a strong enough indication that the individual committed such infractions and agree not to indemnify that individual or
2. All of which must be substantiated by a Court of Law.

To the extent this Indemnification conflicts with any provision of Florida Law or Statute, this indemnification shall be deemed to be amended in such a manner as to be consistent with such Law or Statute.