

**By-Laws of
Apex Performing Arts Boosters**

Adopted March 19, 2012

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1. Introduction

1.1. Name

This organization, a 501(c)(3) non profit association located in Apex, North Carolina, formerly known as The Apex Choral Boosters, shall henceforth be called Apex Performing Arts Boosters. The membership does hereby approve the constitution in manner and form as follows.

1.2. Location

The principal office of the organization shall be located at Apex High School, County of Wake, State of North Carolina. The organization may have such other offices and/or mailing addresses as the Booster Board may determine from time to time.

1.3. Purpose

To promote and support the performing arts, including but not limited to the choral and drama programs, at Apex High School, in conjunction with the Choral Director, Drama Instructor and other school staff.

2. Membership

2.1. Membership

Parents and/or legal guardians (hereinafter referred to as parents) of choral students shall automatically be members of the organization. One or more parents of a student shall constitute a family.

2.2. Voting

Each member family in good standing (fees paid up for current year) shall be allowed one vote per student on all voting matters. A family must be present to vote.

2.3. Meetings

The regular annual meeting of the organization shall be held at the beginning of the fall semester and announced by the Choral Director to all families with students enrolled in a choral class at Apex High School. Regular meetings of the organization shall be held once a month or as deemed necessary by a majority of Board officers, with time and location communicated via email. A quorum for the transaction of business at any meeting shall consist of a majority of board officers.

3. Board of Directors

3.1. Officers

The voting members shall elect the following organization officers, who shall be known collectively as the Board of Directors, or Board. At least one officer shall have a child active in both the choral and drama programs.

- Co-Presidents (2)
- Secretary
- Treasurer
- Volunteer Chairperson
- Ways and Means Chairperson
- At-large Delegate

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The Choral Director shall serve as an ex officio member of the board with the same rights and privileges as all other board members.

3.2. Nomination and Election of Officers

A Nominating Committee consisting of the Choral Director and two volunteers from the general membership shall be formed in January of each year. This committee shall communicate nominations for each elected office to the booster organization at least two weeks prior to the general meeting at which the annual vote is scheduled.

At the general booster meeting in May or June of each year the members shall elect, by a majority vote of those members present, the new Board of Directors. Each family in good standing (fees paid up for current year) shall be entitled to cast one vote per choral student.

Newly elected officers shall assume their duties at the next regularly scheduled general meeting following the election.

In the event a position is vacated mid-term, a replacement may be elected by the remaining board members to complete the term.

3.3. Duties Of Officers

Co-Presidents

- Preside at all Board and general membership meetings
- Prepare meeting agenda
- Be ex-officio member of standing committees except the Nominating Committee
- Appoint Chairpersons of Committees
- Sign or approve all contracts on behalf of the organization
- Shall keep all contracts on file for the current and the preceding three years
- Perform duties as indicated to the office

Secretary

- Record and maintain a record of attendance, minutes, decisions and actions at all Board and general membership meetings
- Distribute minutes of all meetings as well as all necessary booster related information. Conducts formal correspondence (thank you notes, sympathy cards, etc.)
- Inform booster members of the meeting schedule
- Assist school staff with tickets and programs for performances
- Arrange transportation of students to festivals
- Perform duties as indicated to the office

Treasurer

- Collect fees, fund-raising monies and other receipts
- Pay bills and other obligations
- Keep accurate records of receipts and disbursements
- Provide financial report for general membership and Board meetings

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- Prepare projected annual budget for Board recommendation to membership
- Maintain accurate records of student fundraising
- Ensure that required forms for the IRS are prepared and submitted in a timely manner
- Shall keep all financial records for this organization for the preceding seven years

Volunteer Chairperson

- Ensures that all volunteers are registered and properly approved through Wake County Public School System
- Coordinates chaperones and other volunteers for performing arts events

Ways and Means Chairperson

- Identifies fundraising needs and opportunities
- Oversees various fundraising committees

3.4. Board Requirements

- The Board of Directors will serve a one-year term, but may be re-elected.
- No family may hold more than one (1) office on the Board during a year.
- The Board will receive no remuneration for their services.
- Board positions may be shared by two voting members while retaining one vote for each elected position.
- A majority of the Board members present at the Board meeting shall constitute a quorum.
- Any Board member who cannot or does not attend three (3) consecutive Board meetings, or does not adequately fulfill their obligations as outlined herein, shall be subject to removal upon vote of the remainder of the Board.
- The Board shall have full authority to manage this organization within the confines of these by-laws and the will of the voting members.

3.5. Informal Action by Directors

Any action required to be taken at a meeting of the Board may be taken without a meeting if consent in writing, setting forth the action so taken, shall be signed by not less than two-thirds (2/3) of the officers and filed with the minutes of the Board. Board members who do not consent to the action may file a statement to that effect in the minutes of the next meeting.

4. Financial

4.1. Fiscal Year

The fiscal year for the organization shall be July 1st through June 30th.

4.2. Funding

Funding for the Apex Performing Arts Boosters is ultimately the responsibility of the student's families and shall include a "fair share" assessment per student. A payment schedule will be agreed upon by the Board based on budget projections. All families are expected to meet their obligations on time. To help offset these costs the students and/or families may participate in fund-raising opportunities which shall be made available by the Board.

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Additional funding may include (but shall not be limited to) patron donations, grants, and awards.

Notwithstanding the criteria listed under Student Accounts, all funds and income of whatsoever kind received by the organization shall be used solely for the promotion, improvement, instruction, equipment, transportation, aid and support of the Apex High School Performing Arts programs.

All funds of the organization shall be deposited in such bank or trust company as the Board shall designate. Both Co-presidents and the Treasurer shall have signature authority. A co-president shall approve each and every expenditure. Checks shall not be made payable to cash. Checks shall not be signed by the individual to whom a check is made payable.

Each month, bank statements and reconciliations shall be reviewed, initialed and dated by a board member without check signing authority.

The treasurer's accounts shall be examined annually by an auditor or auditing committee of not less than three members, who, satisfied that the treasurer's annual report is correct, shall sign a statement of that fact at the end of the report. The audit should be completed by September 15th for the preceding fiscal year.

4.3. Fees

The amount of the "fair share" assessment for each student will be determined by the Board and presented at the annual meeting once the fall semester begins. Special assessments and adjustments will be voted on as needed. Fees shall be payable within ten (10) days of due date.

In the case of delinquent fees, all rights and privileges of participating in Booster activities will be suspended, until such time as fees are made current. Delinquent fees will carry over from year to year. Examples of these rights and privileges include, but are not limited to:

- Receiving any Booster sponsored award
- Participating in any student funded, non-graded trip
- Voting on any issue before the booster membership.

A final decision on these privileges and rights rests with the Board.

4.4. Fee Waiver Program

Financial aid is available for student needs upon recommendation of the Choral Director and review of the Board. Fee waivers must be requested annually. When financial aid is granted, it is expected that the student and/or parents participate as much as possible in fund raising activities. Failure to participate in fund raising activities will weigh strongly in future waiver decisions.

A student's waived fees for current and previous seasons must be paid in full, either in cash or fundraising proceeds, before the student may participate in any student-funded, non-graded trip.

4.5 Student Accounts

The Treasurer shall maintain records of fundraising amounts earned by students currently enrolled in a choral class.

Funds in a student's account can be used only for expenses related to activities sponsored by the performing arts programs at Apex High School. The use of these funds shall be requested by the student or parent by submitting either an e-mail or written request to the Treasurer. Amounts earned through

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fundraisers will first reimburse the Boosters for any waived or delinquent fees before becoming available for any discretionary amounts related to the performing arts (trips, spiritwear, etc.)

Funds remaining in a student account at the end of said student's graduating year, or funds remaining when a student leaves the choral program, will be disbursed with priority as follows:

- Will be applied to any delinquent fees or assessments
- May be transferred to a choral student sibling currently in the Apex High choral program or entering the following year. In the latter case, parents must notify the Treasurer before June 30th.
- Will be absorbed into the general operating fund of the Boosters.

In the case of any dispute concerning the disbursement of a student account, a final determination will be made by the Choral Director.

5. Miscellaneous Provisions

5.1. Amendment Process

These by-laws can be amended in whole or in part at a duly organized meeting after a minimum two-week notice to the general membership.

5.2. Dissolution

In case of dissolution of this organization, any funds then on hand shall become the sole and absolute property of Apex High School in the county of Wake in the state of North Carolina.