

**CONSTITUTION AND
BYLAWS OF THE
DEPTFORD BAND
PARENTS
ASSOCIATION, INC.**

Revised August 1, 2013

CONSTITUTION

Article I – Name

Section 1 – The name of this organization, by virtue of its certificate of incorporation, shall be known as the Deptford Township Band Parents Association, Inc.

Section 2 – Wherever the word “Association” shall appear in this Constitution and By-Laws, it shall refer to the organization described in Article 1, Section 1 of this Constitution.

Article II – Objective

Section 1 – This Association is dedicated to aid and assist the marching band of the Deptford Township School System.

Article III – Policies

Section 1 – This Association shall be operated as a non-profit organization, and shall be non-partisan and non-sectarian.

Section 2 – This Association may cooperate with and lend assistance to the Deptford Township School system provided such assistance has been determined by the membership to be of benefit to the parties concerned.

Article IV – Membership

Section 1 – Membership in this Association shall be open to anyone who subscribes to Article II, Section I of this Constitution.

Article V – Officers

Section 1 – The elected officers of the Association shall consist of a: President, Vice-President, First Vice-President, Secretary, Treasurer and Sergeant of Arms.

Section 2 – Should any elected officer neglect, or be found incompetent in, the discharge of his duties, such officer shall be subject to removal from office. Removal from office shall be accomplished by a two-thirds majority vote of regular members

present and voting, at any regular business meeting, provided a petition for removal has been presented to the Association officers, in writing, signed by ten (10) regular members in good standing. Written notice of the Vote for Removal must have been sent to the membership, not later than the occasion of the previous business meeting.

Article VI – Dissolution

Section 1 – The Association shall be dissolved if:

1. A special meeting solely for the purpose of dissolution is called by any member in good standing.
2. All members are provided notice in writing of said meeting two weeks prior to the date upon which the meeting is held.
3. A two-thirds majority of members present must be present at the dissolution meeting, and of that number two-thirds present and voting must vote in favor of dissolution.

Section 2 – Upon a vote of dissolution, the officer shall:

1. Sell all physical assets owned by the Association by whatever means decided upon by the members present at the business meeting not less than forty-five (45) days prior to dissolution.
2. Pay or make provision for payment of all liabilities of the Association.
3. Use remaining monetary assets to set up a marching band scholarship fund. Each student at the time of dissolution would be given one ‘share’ for each year of membership in the marching band. All of the ‘shares’ would be totaled. The scholarship fund balance would be divided by the total number of ‘shares’. Each student would be given his ‘share’ as a scholarship.
4. Donate all remaining unsold physical assets to the Deptford Township High School Music Department at least 7 days prior to dissolution of the Association.

Article VI – Amendments

Section 1 – Proposed amendments to this Constitution must be offered in writing, signed by five (5) regular members in good standing, at any regular business meeting of the Association. At such time the proposed amendments will be open for discussion and changes or deletions will be made. Written notice of content of proposed amendments must then be provided to the regular membership, prior to the next regular business meeting and no action on proposed amendments shall be taken until said provisions are met. At the next regular business meeting a two-thirds majority vote of members, in good standing, present and voting shall be required for approval of the proposed amendments.

BYLAWS

Article I – Membership

Section 1 – Regular Member: A regular member is anyone who is card holding parent or guardian of a child who is a member of the marching band program within the Deptford Township School System. All regular members, in good standing, shall have the right to voice and vote on all matters concerning the Association. All members to remain in good standing must pay their dues by September 1 of the current school year.

Section 2 – Associate Member: An associate member is anyone who wishes to become involved in the Association and its functions but does not meet the criteria to be a regular member. As associate member has the right to voice but not vote on any matters concerning the Association nor may any such member hold an elective office.

Section 3 – Student Members:

1. There shall be two student representatives from each grade, who will be considered Associate members of the Association.
2. Student members shall not be required to pay and dues or any fees of any type.
3. Student members shall be considered liaison members between the Association and the Band.

Section 4 – Any person employed by the Deptford Township School Board who wishes to become a member of the Association shall be an Associate member and subject to the provisions of Article I, Section 2 of these Bylaws, unless such person shall meet the requirement of Article I, Section 1 of these Bylaws.

Article II – Meetings

Section 1 – All business meetings will be held at Deptford Township High School on the fourth Monday of each month, and shall begin at 7:30 PM.

Section 2 – The President shall have the right to call for a special business meeting should the need arise. Notice of any such meeting shall be given to all members one (1) week in advance. All such meetings shall be held in accordance with this Constitution and Bylaws. Any such meeting held and found not to be in accordance may be cause for removal from office.

Section 3 – In addition to business meetings, there may be committee meetings to be called at the discretion of these groups. The date, time and locations of any such meeting shall be at the discretion of that committee.

Section 4 – Permitted attendance at the business meetings shall be limited to regular members, associate members and prospective members who are sponsored by a regular member in good standing. Any other person(s) wishing to attend a business meeting shall not be permitted to do so unless authorized by a majority of the Executive Committee members.

Article III – Quorum

Section 1 – A quorum shall consist of one-fifth of the number of members in good standing including elected officers. The number of regular members is defined as number of families that obtained a membership card by paying their membership dues as required by the Association. Associate members may not be considered as part of the quorum. No financial business shall be voted upon unless a quorum is present. Any other business not involving finances may be acted upon by a majority vote of regular members in good standing present. All voting shall be in accordance with Article I, all sections.

Article IV – Motions

Section 1 – A motion may be made on any topic, concerning the Association, by any regular member in good standing. Any regular member in good standing may second any such motion. The vote on any such motion shall be in accordance with Article III, Section 1 of these Bylaws.

Article V – Elective Officers

Section 1 – Any regular member shall be eligible to hold an elective office providing said member has a Membership card prior to December 31 of the previous calendar year and has attended at least 3 meetings of previous band season of July 1st through June 30th.

Section 2 – All elected officers shall serve for a term of one year from installment. No member may hold two elective positions simultaneously.

Section 3 – Nominations shall be open during the business meeting of the month of April. The vote, in accordance with Article I, all sections and Article III, Section 1 of these Bylaws, will be taken at the next regular business meeting in the month of May. Prior to the vote additional nominations may be taken and the nominations must then be closed. If more than one candidate is nominated for the same office majority vote of regular members in

good standing present shall determine the winner. In the event that only one candidate is nominated for a particular office, voting on that particular office shall be done by the Secretary casting an affirmative vote. By such vote, the candidate shall be considered elected and shall assume the duties and responsibilities of that office.

Section 4 – All officers-elect shall be installed at the June business meeting as follows: the retiring officer, in the person of the ex-President, shall call the meeting to order, finish all old business, introduce the new officers, and depart from the dais. All materials pertaining to each particular office will at this time be turned over to the new officers. The new officers shall be considered installed when they have assumed their place at the dais and may then proceed with the business at hand.

Section 5 – Any officer shall have the right to re-election to serve consecutive terms in office, and no limit is placed on the number of consecutive terms he/she may serve.

Section 6 – At such time as an officer becomes an Associate Member, due to the fact that his or her child no longer participate in the band program, such officer shall step down from office and a special election, in accordance with these Bylaws, must be held to fill the unexpired term. If an office becomes vacant, for any reason, nominations must be made for that office and voted on in accordance with these Bylaws. If the office of President shall become vacant, the Vice-President shall assume that office until a special election shall be held, in accordance with these Bylaws, and the office of President shall be filled for the unexpired term.

Article VI – Duties of the Officers

Section 1 – The President: The President shall preside over all business meetings of the Association. He or she may call for the formation of any and all committees necessary for the efficient operation of the Association. The President shall perform such other duties as may be prescribed in the Constitution and Bylaws,

or assigned to him or her by the Association. In the normal conduct of each business meeting the President shall:

1. Call the meeting to order, at the prescribed time.
2. Call upon the Secretary to read the minutes of the previous meeting, ask the membership for additions or deletions and ask for a vote of acceptance by motion and second and then vote on the motion.
3. Call upon the Treasurer for a fiscal report, ask the membership for additions or deletions and ask for a vote of acceptance by motion and second and then vote on the motion.
4. Deliver a Presidential report, or begin the meeting's agenda, as applicable.
5. Ask for a presentation of correspondence.
6. Call for and monitor a discussion of old business.
7. Call for and monitor a discussion of new business.
8. Call for committee reports where applicable.
9. Adjourn the meeting.
10. The President may be a co-signer on all checks.

Section 2 – The Vice-President: The Vice-President shall assist in every way possible, and perform the duties of the President, in his or her absence. The Vice-President may be a co-signer on all checks.

Section 3 – The First Vice-President: The First Vice-President shall have the same duties as the Vice-President. The First Vice-President shall perform the duties of the Vice-President on his or her absence. The First Vice-President has no authorization to sign any checks.

Section 4 – The Secretary: The Secretary shall take minutes at all business meetings and special meetings of the Association and shall:

1. Record the number of regular and associate members present.
2. Record the name of a member making a motion and second.
3. Handle all correspondence, both incoming and outgoing and shall divulge the content to all members at the business meeting.
4. Sign official documents of the Association when requested.
5. Notify all members of regular business meetings by mail, phone or e-mail.
6. All records, financial reports, incoming and outgoing correspondence shall be maintained for a period of not less than seven (7) years.
7. The Secretary shall have in his or her possession, at all times, a copy of this Constitution and Bylaws.

Section 5 – The Treasurer: The Treasurer shall keep an accurate record of all financial transactions carried out by the Association and shall:

1. Keep a record of all monies and give a receipt to the person turning over such monies to the Treasurer.
2. Deposit all monies in the bank within forty-eight (48) hours from time of receipt.
3. Write out all checks and obtain required signatures upon authorization of payment by the membership of the Association.
4. Keep all receipts for bills paid.
5. Write a monthly statement including the following: balance in treasury from the previous month, incoming monies and where they come from during the previous month, expenditures and where they went for the previous month, and the balance as of the end of the previous month,

including a separate balance for total monies in students' individual accounts; and shall report orally the above information at the monthly meeting and have written copies for all the regular members present.

6. Have his or her own books, records, receipts, bank statements and bank books available for an audit within one (1) week by a call by the Executive Committee or by the regular membership of the Association. Such audit should be performed by an audit committee.
7. Upon leaving office, balance all accounts.

A copy of the Treasurer's report should also be given to and kept with the Secretary's minutes of that business meeting.

Section 6 – Sergeant of Arms: The Sergeant of Arms shall handle all membership records and shall:

1. Enroll all new members and give to such member's membership cards.
2. Keep a current file of all active regular and associate members with their addresses, phone numbers, and e-mail addresses, and shall give to the Secretary a current record of members in good standing.
3. Maintain attendance records.

Article VII – Committees

Section 1 – The Executive Committee shall consist of all elected officer of the Association.

Section 2 – The Audit Committee shall consist of a member of the Executive Committee (except that the Treasurer shall not be permitted to sit on this committee) and two (2) regular members in good standing. This committee shall be volunteers or shall, in the absence of volunteers, be appointed by the President. The Executive Committee member shall reside as chairman of this committee.

Section 3 – Committees, General

1. All committees shall have a chairman selected by the committee members.
2. All committee members shall be volunteers.
3. All committees shall perform in the function of that committee in accordance with this Constitution and Bylaws.
4. Progress reports of any and all committees shall be orally presented, by a member of that committee to the membership at each regular meeting.
5. At no time shall committees or any chairman thereof be permitted to expend the monies without express approval, by vote, of the membership of the Association.

Article VIII – Audit

Section 1 – An audit of the Treasurer’s records shall be conducted, by the audit committee, following the installment of new officers for the next year and completed by August 15, and the results given to the membership of the Association by the August business meeting.

Article IX – Budget

Section 1 – The Executive Committee shall be responsible for the preparation of the budget for the Association. Discussions of the newly considered budget shall be discussed with membership at the May and June regular business meetings. The budget must be completed and presented to the membership and final adoption by a majority vote of regular members, in good standing, present at the regularly scheduled August business meeting.

Article X – Amendments to these Bylaws

Section 1 – Amendments to these Bylaws may be made at any regular business meeting of the Association, by a two-thirds majority vote, providing a motion describing the proposed

amendment shall have been made, seconded and duly recorded at the previous business meeting.

Article XI – Student’s Account

Section 1 – All monies that are accrued in any student’s accounts may only be used for direct marching band purposes. At the end of a student’s membership in the marching band, any remaining funds will be transferred to the band parents’ business account unless the member requests a cash payment of their most recent account balance within 30 days. This request should be made directly to the Treasurer.

Article XII – Insufficient Funds

Section 1 – The parent will be given a two week period to rectify any insufficient funds related to a personal check.

Section 2 – After the two week period the parent on record will be contacted by the Band Director (Marching or Jazz) indicating lack of payment.

Section 3 – The child related to the insufficient funds will not be contacted as a form of communication for insufficient funds.

Section 4 – If, after the allotted two week period and communication from the Band Director, no payment is made by the family any funds available in the student’s account will be applied to the delinquent payment.

Section 5 – A letter will be sent to the family from the DBPA indicating the insufficient funds with a proposal for repayment. The treasurer will work with the family so as not to incur any undue hardship related to repayment in a reasonable time frame during the band season (June 1 to May 31).

Section 6 – Until the delinquent payment is rectified the student will not be permitted to participate in any voluntary trips not required by the Band Director (Marching or Jazz).

Section 7 – If a family experiences insufficient funds three (3) times in a band year (June 1 to May 31) they will no longer be allowed to present personal checks as a form of payment and will

be required to present cash or a cashier's check as a form of payment.

Section 8 – No postdated checks can be accepted as a form of payment.