Constitution

Article I - Identification

The name of this organization is **Esky Band Boosters**, whose fiscal year runs from August 1 through July 31.

Article II - Objectives

The objectives of Esky Band Boosters, a nonprofit organization, are:

1. To arouse and maintain an enthusiastic interest in all parts of the Escanaba Area Public Schools Band Program by the school district and community.
2. To lend support, both moral and financial, to the Escanaba Area Public Schools Band Program.
3. To cooperate with those in charge of the band program, music department, school administration, and the school board, to the end that the Escanaba Area Public Schools Band Program be brought to, and kept at, the highest possible level of excellence.
4. To build and maintain a membership that will promote the general activities of the Escanaba Area Public Schools Band Program.

Article III - Membership

The membership of this organization shall not be limited. Any individual person, family, or business interested in furthering the objectives of the organization shall be eligible to join.

Annual membership recommended donations shall be defined and approved by the Executive Board prior to the annual membership drive. Memberships expire at the end of each fiscal year.

Memberships may be revoked if the member engages in any activity, or performs any act, which is counter to the objectives of the Esky Band Boosters, as judged by the Executive Board. Revocation of a membership shall require a simple majority vote of the Executive Board.

Article IV – Officers and Executive Board

The Executive Board of the organization shall be:

1. President
2. Vice-President
3. Secretary
4. Treasurer
5. All Band Conductors of the Escanaba Area Public Schools Band Program

The Officers shall include:

1. All Executive Board Members
2. The most recent Past President, if available and willing to serve
3. All committee chairpersons deemed necessary by the President at the beginning of the fiscal year.

Article V - Meetings

Annual Officers Meeting: The Annual Officers Meeting shall be a planning session attended by the Officers. This Meeting shall be held within two weeks of the start of the fiscal year.

Regular Meetings: Regular Meetings of the organization shall be held once each month from September through May and are open to all interested parties. Dates of the Regular Meetings shall be set at the Annual Officers Meeting each fiscal year.

Special Meetings: Special Meetings may be called by the President or any Band Conductor Officer. A minimum three (3) day notice shall be provided to all invitees. Special Meetings may be limited in attendance to Officers only or open to all active members. Attendance limitations and quorum requirements shall be declared at the time the Special Meeting is scheduled.

Attendance and Participation: Attendance and participation at each meeting may be in-person or virtual. An Executive Board Member shall host the virtual meeting using an appropriate video-conferencing platform. Virtual attendees shall enjoy the same rights as in-person attendees.

Article VI - Amendments

The constitution and bylaws may be amended or revised by a two-thirds majority vote of the members and Officers present at any Regular Meeting. The Band Conductor Officers present during the vote may veto any amendment with unanimous agreement. All amendments must have been presented at the preceding Regular Meeting and the membership shall be notified of such amendments. Final comments shall be allowed by any active member or Officer prior to calling a vote.

Article VII – Meeting Quora

Officers Meetings: Attendance of three (3) non-Band Conductor Officers and one (1) Band Conductor Officer shall constitute a quorum for the purpose of commencing a Board Meeting.

Regular Meetings: Attendance of two (2) non-Band Conductor Officers and one (1) Band Conductor Officer shall constitute a quorum for the purpose of commencing a Regular Meeting.

Loss of Quorum: If quorum is lost at any point during a meeting, the presiding officer may, at his/her discretion, allow the meeting to continue. However, voting shall not be allowed in the absence of a quorum.

Article VIII - Expenditures

No expenditure that changes the physical properties of the school shall be authorized until first approved by the school board.

Expenditures not exceeding $1,000.00, and are of a time-critical nature, may be presented and voted on by the officers outside of a scheduled meeting. The expenditure shall be presented via appropriate technological means to all officers and discussion shall commence. Voting shall be called by the highest-ranking officer engaged in the discussion, after no less than thirty (30) minutes of discussion. A quorum of officers shall submit a vote, even if it is an abstention. The result of the vote shall be presented at the next meeting and recorded in the minutes of said meeting.

Expenditures not exceeding $1,000.00 may be presented and voted on by the membership at a Regular Meeting with a quorum.

Expenditures exceeding $1,000.00 must be presented as new business at the Regular Meeting and voted on at the next Regular Meeting.

Expenditures for shall be in the best interest of the students and should benefit the Escanaba Area Public School Band Program.

The Band Conductor Officers may veto any expenditure they feel it is not in the best interest of the Escanaba Area Public Schools Band Program. Vetoes require unanimous agreement of the Band Conductor Officers present at the vote.

Bylaws

Article I - Duties of Officers

President:

1. Preside over all the organization's meetings.
2. Appoint all committees.
3. Approve all committee chairpersons.
4. Serve as an ex-officio member of all committees, except as noted herein.

Vice-President

1. Assume all the duties of the President in his/her absence.
2. Serve as an ex-officio member of all committees, except as noted herein.
3. Receive all funds accrued by the organization and deposit the same into a federally insured financial institution within five (5) working days.
4. Maintain an accurate membership list with all current available contact information.

Secretary

1. Keep records of all meetings and maintain said records indefinitely.
2. Manage the organization's correspondence with the public and media, as well as coordinate all correspondences with and between the Officers and the membership.
3. Safeguard the official copies of the Constitution and Bylaws.
4. Administer all votes and elections, unless otherwise mandated within the Constitution or Bylaws.

Treasurer

1. Make disbursements as directed by the organization.
2. Keep a full and accurate account of all monies transacted.
3. Make monthly treasurer reports at each Regular Meeting.
4. Present a summary financial report at the Annual Officers Meeting.
5. Prepare and file all applicable (federal, state, local, etc.) forms and reports as required by governing entities.

Band Conductors

1. Act as liaison between the Esky Band Boosters, band personnel, and school authorities.

Officers

1. Supervise the affairs of the organization.

Article II – Terms of Office

Officers and Chairpersons shall not be elected to the same office for more than three (3) consecutive terms. An elected Officer’s term shall be two (2) years in duration. A Chairperson’s term shall be one (1) year in duration. To maintain continuity within the organization, the term of each elected office shall expire as follows:

President: Term shall expire during **EVEN** numbered years.
Vice-President: Term shall expire during **ODD** numbered years.
Secretary: Term shall expire during **EVEN** numbered years.
Treasurer: Term shall expire during **ODD** numbered years.

Article III - Elections

Section I: Nominating Committee

A Nominating Committee comprising two (2) Officers and one (1) additional member shall be appointed by the President at the March Regular Meeting. The most recent Past President shall act as Chairperson of the Nominating Committee. If the Past President is not serving, the most senior Band Conductor Officer shall assume the role as Chairperson. The Chairperson shall carry no vote. The current president and vice-president shall not serve as ex-officio members of this committee.

The Nominating Committee shall meet separately and prepare a list of nominees for each vacant and expiring office.

Section II: Presentation of Nominations

The Nominating Committee shall present their list of nominees at the April Regular Meeting. After the Nominating Committee presents its list of nominees, any attendee may propose additional nominations. All nominees shall be current members in good standing.

All nominees shall accept, either verbally or in writing, their nomination prior to being placed on the ballot. Nominees need not be present for the vote.

If each open office contains a single nominee, the ballot shall be presented as a single slate for voting.

Section III: Elections

Officers shall be elected by ballot at the April Regular Meeting. If a single slate is presented, the Secretary shall cast one ballot. If not a single slate, then all Officers and Members in attendance shall each be granted one vote for each open Office position, including those attending virtually.

The Secretary shall administer the election, which shall include a process for collecting virtual attendees' votes. The results shall be announced prior to the conclusion of the April Regular Meeting. The nominee with the largest number of votes shall be declared the winner, even without a majority result. Recount requests shall be made immediately following the announcement of the voting results and shall be made by a candidate for the specific office of concern. If a tie results for any position, the President shall cast one (1) additional vote for that office to break the tie.

Once all recount requests and ties are resolved, the Secretary shall certify and record the results. Elected Officers shall be installed at the May Regular Meeting and their official duties will be assumed upon adjournment of that meeting.

Any office that becomes vacant mid-term shall be appointed by the Executive Board

to fill the unexpired term, except for the President's office which shall be filled by the Vice-President. If the Vice-President is appointed President, the Executive Board shall fill the newly vacated Vice-President office by appointment. All appointments shall be by majority vote of the Executive Board.

Article IV - Disbandment

If the Esky Band Boosters organization is unwilling to cooperate with the guidance and leadership of the Band Conductor Officers, the Band Conductor Officers have the right to disband the Esky Band Boosters by force.

Disbandment of the Esky Band Boosters by force must be through unanimous vote of all Band Conductor Officers. An Escanaba Area Public Schools Administrator must be made aware of the desire for disbandment and must be present at the meeting of disbandment to act as a mediator and witness.

Any monies in the treasury shall be turned over to the Band Program Activities Account of the Escanaba High School.

Article V – General Guidelines

1. Robert's Rules of Order shall serve as the basis for parliamentary procedure. A bound copy of which shall be available for referral at each meeting.
2. A copy of the Constitution and Bylaws shall be available for referral at each meeting.
3. The order of business of all Band Booster meetings may be as follows:
    a) Meeting called to Order.
    b) Public comments.
    c) Reading and acceptance of minutes of previous meeting.
    d) Review and acceptance of Treasurer's Report.
    e) Reports of Officers and Committee Chairpersons.
    f) Unfinished Business.
    g) New Business.
    h) Open discussions.
    i) Public comment.
    j) Adjournment.
4. The Presiding Officer of the meeting shall announce each order of business at its proper time during the meeting.

Article VI – Non-Profit Status

Esky Band Boosters is, and shall always be, a non-profit organization.

Change History – Constitution & Bylaws

Change #1, Presented 9/7/2021, Voted and Ratified 10/5/2021

- **Constitution** (original version available from archives)
  - Overall
    - Updated formatting throughout.
    - Corrected grammar throughout.
    - Updated all references to “Escanaba Area Public Schools Band Program”.
  - Article III
    - Added families and businesses.
    - Membership donations set by Executive Board was Annual Dues set by membership.
    - Added membership revocation paragraph.
  - Article IV
    - Title “Officers and Executive Board” was “Officers”.
    - “Executive Board” was “Officers” throughout.
    - “Band Conductor Officer” was “Band Director” throughout.
    - Added new definition of officers.
  - Article V
    - Added “Annual Officers Meeting”.
    - Subdivided original into “Regular Meetings” and Special Meetings”.
    - Added Special Meeting notice, attendee, and quorum requirements.
    - Added “Attendance and Participation” section.
  - Article VI
    - Two-thirds majority vote was majority vote.
    - Added Veto power to Band Conductor Officers
    - Added Final Comments prior to vote.
  - Article VII
    - Title “Meeting Quora” was “Quorum”.
    - Separated into Officers Meetings and Regular Meetings, with each meeting type having different quora requirements instead of the original seven-member quorum.
    - Added “Loss of Quorum” section.
  - Article VII
    - “No expenditure that changes the physical …” was “No expenditure that adds to the physical”
    - $1,000 threshold was $200
    - Added paragraph allowing time-critical expenditures to be approved by officers via technology
    - Added requirement for unanimous Band Conductor Officer agreement for vetoes.
    - Deleted Section 5 and moved to Bylaws Article IV.

- **Bylaws** (original version available from archives)
  - Article 1
    - Reorganized and reassigned duties
    - Added “Approve all committee chairpersons” to president duties.
    - Added “Serve as ex-officio member …” to vice president.
    - Added “Receive all funds accrued by organization and deposit …” to vice president.
    - Added “Maintain an accurate membership list …” to vice president.
    - Added “… and maintain said records indefinitely” to secretary.
    - “2. Manage the organization’s correspondence …” was “… and be responsible for all of the organization’s correspondence.”
    - Added “Safeguard the official copies of the Constitution and Bylaws” to secretary.
    - Added “Administer all votes …” to secretary
    - Removed “… receive all funds accrued by organization and deposit …” from treasurer.
    - “Keep a full and accurate account of all monies transacted.” was “… keep a full and correct account of all money received and expended”.
    - Added “Present a summary financial report at the Annual Officers Meeting” to treasurer.
    - Added “Prepare and file … governing entities” to treasurer.
    - Added “Officers” section.
  - Article II
    - Title “Terms of Office” was “Executive Board”
    - Deleted Section 1
    - Deleted Section 2
    - Reworded Section 3 regarding office terms limits and term lengths.
    - The three consecutive terms limit was 2 consecutive terms.
    - Defined alternating term expirations to maintain continuity within organization.
  - Article III
    - Section 1: “March Regular Meeting” was “February Meeting”
    - Section 1: “most senior Band Conductor Officer” was “a band director’.
    - Section 1: Added “The nominating committee shall meet … vacant and expiring office”
    - Section 2: Added “Nominating committee shall present their list of nominees at the April Regular Meeting.”
    - Section 2: April Regular Meeting was March meeting.
    - Section 2: Added “All nominees shall … slate for voting.”

        - Section 3: Added “If not a single slate, …attending virtually”
        - Section 3: Added “The Secretary shall … break the tie.”
        - Section 3: Added “Once all recounts … record the results.”
        - Section 3: Added “Elected Officers shall … adjournment of that meeting.”, which was previously Section 4 and had the assumption of duties on July 31.
        - Section 3: Added “Any office that becomes vacant … majority vote of the Executive Board.”, which was previously Section 5, and did not include majority vote clause.
    - Article IV
        - Added previous Constitution Article V, Section 5 to the beginning of this article.
    - Article V
        - Added article in its entirety

Change #2, Presented 1/7/2025, Voted and Ratified 2/4/2025

- **Constitution**
    - No change.
- **Bylaws**
    - Added Article VI – Non-Profit Status
        - Esky Band Boosters is, and shall always be, a non-profit organization.