

# **Ephrata Band Parent Association By-Laws**

## **Article I**

The name of the organization shall be the Ephrata Band Parent Association, hereinafter referred to as the organization. The location is Ephrata High School, 803 Oak Boulevard, Ephrata, PA, 17522. The mailing address is Ephrata Band Parent Association, c/o Ephrata High School, 803 Oak Boulevard, Ephrata, PA 17522.

## **Article II**

The purpose of this organization shall be to promote and support the Marching Unit program of the Ephrata Senior High School which includes Indoor Color guard.

## **Article III**

All parents of current band members as well as other concerned adults are eligible for membership.

Section 1: There shall be two classes of membership: FULL and PARTICIPATION.

- a) FULL membership being a parent or guardian of a child participating in extracurricular band activities.
- b) PARTICIPATION membership shall be Senior High School student band elected representatives or any interested adult wishing to participate in Band Parent Association function.

Section 2: Dismissal from the general membership shall be considered by the Executive Committee if the member has engaged in behavior unbecoming to the organization. Said member may request a hearing in front of the general membership.

Section 3: Only a person with FULL membership shall be permitted to vote or to hold elected office.

## **Article IV**

### **Executive Board**

Section 1: The officers of the organization shall be a President, Vice President, Secretary and Treasurer. These officers shall perform the duties prescribed by the By-laws.

Section 2: A nominating committee of three to five members shall be appointed by the president and chaired by the Vice President. It shall be the duty of this committee to nominate candidates for the officers in Section 1. The nominating committee shall present the names of the candidates at the February meeting for election of officers at the March meeting. Nominations from the floor shall be permitted prior to the election at the March meeting. The nominator must have permission from the nominee to include as a candidate for election.

Section 3: The election of the officers shall occur at the March meeting. The election shall be by paper ballot or digitally of those full members present and voting, by proxy, or through a digital medium platform. By proxy is allowable if a full member is unable to attend the March meeting, but desires to vote. Proxy votes may be sent in two formats. 1) Mail-in: Proxy votes need to be post-marked seven days prior to the election date and sent to the organization's mailing address. 2) Digital votes: A digital voting platform will be presented to the membership. Digital voting needs to be completed by full members during the twenty-four-hour allotted period.

Section 4: The President shall appoint two or three tellers to distribute, collect, count ballots, and report votes. A screenshot from the digital medium platform must be present at the meeting for tallying of votes. The teller must verify that all members who voted on the digital platform are full members and can in fact vote. All ballots are to be kept on file for one year by the Secretary, both paper and a copy.

Section 5: In the event of a tie, a re-ballot will continue until the tie is broken.

Section 6: No member shall hold more than one office at a time and no member shall be eligible to serve more than two consecutive years in the same office.

Partial terms appointed to fill a vacancy shall not count toward the maximum of three terms. The President and Vice President may succeed themselves by agreement and consent of the voting majority present. The Vice President assumes the office of President upon the abdication of the President.

Section 7: When a vacancy occurs in an elective office, except the Presidency, the unexpired term shall be filled by election at the next general membership meeting.

Section 8: The Executive Board shall consist of the elected officers and the High School Band Director(s).

## **Article V**

### **Duties of the Executive Board members**

Section 1: The president shall preside at all meetings of the organization and the Executive Board and have general supervision of all the organization's activities. He/She shall co-sign with the Secretary any duly authorized contract or document. He/She shall be a member on all committees except the nominating committee.

Section 2: The Vice President shall perform the duties of the president in his/her absence and in case of vacancy shall become president. He/She shall also serve as chairperson of the Finance Committee and Nominating Committee. Also, he/she will assist the President in the organization's administration, as well as presiding over parliamentary procedure.

Section 3: The Secretary shall record the minutes of all regular and Executive board meetings. He/She shall also preserve all records of the organization. The secretary shall attend to all correspondence of the organization. He /She shall maintain a current mailing list of all organization members and have copies of the by-laws available for use at all meetings. A co-secretary may be elected/appointed to handle all correspondence. The Secretary shall keep a log of all committee activities.

Section 4: The term for the Treasurer shall be 2 consecutive years. The Treasurer shall receive and hold all monies and pay all bills approved by the organization. He/She shall also keep an account of all receipts and expenditures and render a report at all the organization's meetings. The Treasurer, President and Band Director are authorized to sign all

checks for the organization, with two signatures required on all checks. The Treasurer is responsible for all investments and reporting of such funds and shall submit an annual budget for adoption by the general membership. It is required that the Treasurer and one other officer (normally the President) be covered by a Fidelity bond of \$50,000.00. The Treasurer shall submit its books for an audit in the month of June. The treasurer shall be a member of the Finance Committee.

Section 5: The Executive Board shall transact routine business, recommend policies to the organization and act for the organization in cases of emergency. Executive Board meetings may be held by conference call if a quorum is available. Meeting and other organizational information may be distributed by way of email, fax, or other media as long as all of the Executive Board may be notified. The Executive Board will call a general membership meeting if emergency allocation of funds exceeds budgetary restraints.

Section 6: Removal of an officer from office would be considered if said officer fails to perform specified duties. Executive Board will call a general meeting to present evidence that would be voted on regarding removal. Majority vote would be needed to remove from office.

Section 7: No officer shall receive pay for any duty performed. However reimbursement may be made for expenditures upon presentation of receipts.

## **Article VI**

### **Committees**

Section 1: Standing committees are as follows: Finance, Fundraising, Pit Crew, Publicity and Nominating as well as, any other committee which the President desires to appoint.

#### **A. Finance Committee:**

1. Any expense outside approved budgeted amounts exceeding \$200 must be brought before the BPA and voted upon.

2. Will ensure that the audit is completed in the month of June.

The treasurer will not be part of the auditing process.

3. Members must submit bills/receipts to the treasurer within 60 days of purchasing item(s) for the Marching Unit.

4. All sponsorships shall be presented as to their purpose and use to the membership.

Section 2: Special committees are as follows: Any other committees which the president desires to appoint.

### **Article VII Meetings**

Section 1: General membership meeting shall be held the third Tuesday of each month at 7:00 PM. If a change in the day or hour were deemed advisable, the Executive Board may authorize the change.

Section 2: Eight members present at a general membership meeting shall constitute a quorum. Three members shall constitute a quorum of the Executive Board.

Section 3: Special meetings may be called by the President or upon written request of the Executive Board or seven members of the organization. The object of the meeting shall be stated.

### **Article VIII Dissolution**

Section 1: In the event of the organization dissolution, all real property becomes a part of the Ephrata Area School District. All monies shall be deposited to the High School Marching Band Student Activities Account.

**Article IX**  
**Amendments**

Amendments to these by-laws shall be presented to the Executive Board in writing at least 30 days before a membership meeting. Amendments received by the Executive Board shall be submitted to the members at the regular meeting for a vote. A two-thirds majority will be needed for approval of proposed amendments.

**Article X**  
**Parliamentary Authority**

The rules contained in Robert's Rules of Order newly revised shall govern the organization in all cases to which they may be applicable.

**Article XI**  
**Indemnification**

The organization shall indemnify each of its officers, employees and volunteers whether or not then in service as such (and his or her personal representative and heirs), against all reasonable expenses including a final judgment actually and necessarily incurred by him or her in connection with the defense of any litigation in which the individual is a part. Because he or she is or was an officer, employee, or volunteer serving the organization, the individual shall have no right to reimbursement. However, for matters in which he or she has been found to have breached or failed to perform his or her duties to the organization by reason of willful misconduct, self-dealing, or recklessness, the right to indemnity for expenses shall also apply to the expenses of legal actions which are comprised or settled if the court having jurisdiction over the matter shall approve the settlement.

The foregoing right of indemnification shall be in addition to, and not exclusive, of all rights of each officer, employee or volunteer.

Date of Adoption: May 2019