**Nixa Public Schools Band Boosters**
**514 S Nicholas**
**Nixa, MO 65714**
**Articles of Association (Amended February 23, 1999)**
**Articles of Association (Amended September 15, 2014)**

**By-Laws Amended January 22, 2007**
**By-Laws Amended October 15, 2007**
**By-Laws Amended September 17, 2012**
**By-Laws Amended September 15, 2014**
**By-Laws Amended October 20, 2014**
**By-Laws Amended November 17, 2014**
**By-Laws Amended December 20, 2025**

***Article I***: The Nixa Public Schools Band Boosters Association was formed for the sole purpose of raising funds and providing volunteer support to further the educational opportunities of the band program in Nixa Public Schools, educational opportunities being within the meaning of section 501 (c)(3) of the Internal Revenue code.

***Article II***: The Nixa Public Schools Band Boosters Association is organized exclusively for charitable, religious, education, and scientific purposes, including, for such purposes, the making of distributions to organizations that qualify as exempt organization under section 501 (c)(3) of the Internal Revenue Code of 1954 (or the corresponding provision of any future United States
Internal Revenue Law).

***Article III***: No part of the net earnings of the Nixa Public Schools Band Boosters Association shall incur to the benefit of, or be distributable to, its members, trustees, officers, or other private persons, except that the association shall be authorized to pay reasonable compensation for services rendered and to make payments and distributions in furtherance of the purposes set forth in Article II hereof. No substantial part of the activities of the association shall be the carrying on of propaganda, or otherwise attempting to influence legislation, and the association shall not participate in, or intervene in (including the publishing or distribution of statements) any political campaign on behalf of any candidate for public office. Notwithstanding any other provision of these articles, the association shall not carry on any other activities not permitted to be carried on (a) by an association exempt for Federal income tax under section 501 (c)(3) of the Internal Revenue Code of 1954 (or the corresponding provision of any future United States Internal Revenue Law) or (b) by an association, contributions to which are deductible under section 170 (c)(2) of the Internal Revenue Code of 1954 (or the corresponding provision of any future United States Internal Revenue Law).

***Article IV***: All assets of the Nixa Public Schools Band Boosters Association are permanently dedicated to the educational opportunities of the band program in Nixa Public Schools. Should the Nixa Public Schools Band Boosters Association dissolve, the Executive Board of Trustees shall, after paying or making provision for the payment of all of the liabilities of the association, dispose of all of the assets of the association exclusively for the purposes of the association in such manner, or to such organization or organizations organized and operated exclusively for charitable, education, religious, or scientific purposes as shall at the time qualify as an exempt organization or organizations under section 501 (c)(3) of the Internal Revenue Code of 1954 9or the corresponding provision of any future United States Internal Revenue Law), as the Executive Board of Trustees, shall determine. Any such assets not so disposed of shall be disposed of by the Court of Common Pleas of the county in which the principal office of the association is then located, exclusively for such purposes or to such organization or organizations, as said Court shall determine, which are organized and operated exclusively for such purposes.

***Article V***: The Nixa Public Schools Band Boosters Association is nondiscriminatory in its membership in regard to age, religion, race, color, sex, national or ethnic origin.

***Article VI***: The Nixa Public Schools Band Boosters Association is formed by the adoption of these Articles of Association and the Nixa Public Schools Band Boosters Association bylaws.

**Mission Statement**

Parents and community members of Nixa can be a proud and vital part of the growth and development of the Nixa band student. In positive cooperation with the administration, directors and students, it is believed that the band booster organization can be a model partnership between the home and school, with the ultimate goal of promoting music education in Nixa Public Schools.

The Nixa Public Schools Band Boosters are a non-profit organization providing enthusiastic interest in and support of the Nixa Public Schools band program. Including the endorsement of the band program of Nixa Public Schools and a commitment for auxiliary* financial assistance.

**Auxiliary - helping provide additional help when needed, a supplementary*

*organization.*

**Beliefs**

1. Music is a lifelong and essential part of the human experience.
2. Active participation in music promotes personal expression, cooperation, and creative growth. 3. Music promotes cognitive as well as emotional and social development.
4. Music encourages self-discipline and self-efficacy.
5. Every person deserves the opportunity to experience and participate in music.
6. Music is a vital and integral part of a comprehensive curricular education.
7. Music education is enhanced with relevant use of technology.
8. Our community values music education.
9. Music is a vehicle for character education.
10. Music inherently presents the opportunity for people to identify and bridge cultural differences.
11. Music transforms and exalts the human spirit.

**Objectives**

1. Reflect the high character standards set by the Nixa Public Schools by representing our band school and students with integrity in all matters.
2. To provide financial support, accept and disperse funds, and otherwise assist the band program through cooperation with the band directors.
3. Support the band by performing necessary tasks outside of music education (building props, providing meals and snacks, fundraising or any other support role that is agreed upon in conjunction with the band director(s).
4. The safety of a child is of the utmost importance. The Booster organization will help to provide a safe/secure environment.

**Parameters**

1. The Nixa Public Schools Band Boosters are a non-profit organization.
2. The purpose of the Band Boosters is to provide enthusiastic support and additional financial resources beyond what the school district is able to provide.
3. Members may/should seek additional information or clarification of school board policies,

district procedures and established band protocol to ensure effective booster organization practices, safeguards and compliance are met.

4. The boosters and its representatives shall not influence or interfere with the management and processes of the band program.
5. Any action or recommendation that will involve the band program of Nixa Public Schools should be agreed upon by the Band Director charged with management of the band program as designated by the Nixa Public Schools Board of Education. The booster organization will work with the district to ensure proper procedures and board policies are followed.

**I. Officers**

A. Process of Election

1. President conducts the election the last meeting (April/May) of the current school year. A majority vote shall be necessary for a candidate to be elected. This may be done by a show of hands or by secret ballot as chosen by majority of the membership present.
2. Office terms will be staggered.
   - President, Secretary, Vice Treasurer, and Bingo Officer(s) will be elected in the same year.
   - The Vice President and Treasurer will be elected in the same year.

   (Example. Vice President and Treasurer in 2015, President, Secretary, and Vice Treasurer in 2016).
3. Terms of office for President, Vice President, Secretary, Treasurer, Vice Treasurer, and Bingo Officer(s) will be for two (2) Years and appointed standing committee chairpersons shall be for one (1) Year. Consecutive term limits can be allowed by a vote of the membership.
4. Election process begins with open nominations for each officer with a second and majority vote in the (March/April) meeting.
5. Officers cannot be employees of Nixa Public Schools.
6. If an officer resigns their position or if a new officer position is deemed necessary by a majority vote, a special election to fill that term will be called at the next general meeting.

B. Officers and Responsibilities

1. The executive committee consists of the President, Vice President, Secretary, Treasurer, Vice Treasurer, and Bingo Officer(s).
2. President – Presides over meetings, is liaison between Director and Booster Organization and oversees committee activities.
3. Vice President – fills in when the President is unavailable. Assists President in duties. Monitors adherence to the school district's fundraising policy.
4. Secretary – Responsible for dealing with correspondence, and records of meetings and activities.
5. Treasurer – Duties include receipt and care of incoming funds and the paying out of moneys to debtors.
6. Vice Treasurer - fills in when the Treasurer is unavailable. Assists Treasurer in Duties including the receipt and care of incoming funds and the paying out of moneys to debtors.
7. Bingo Officer(s) - Manage all aspects of the Bingo operations. Filing all necessary paperwork, managing the Bingo bank account, bingo email and bingo volunteers. Reporting monthly funds to the Treasurer.

C. Quorum and Meetings

1. A quorum must be present, whether physical or electronically, in order to conduct an official executive council meeting. A quorum shall consist of three members of the Executive Committee.
2. Meetings may be held in person or by means of communication equipment, but not limited to, conference calls, video conferences, Internet chats, Internet message boards, texting or email or by any other means possible.
3. Minutes and result of votes of the executive committee will be brought to the general membership for final approval.
4. Approved minutes will be available upon request or by equivalent means of communication that is open to the general membership for viewing.

**II. Committees**

A. Various committees will be established as necessary. Committee chairs will be appointed by the executive committee.

B. All volunteers must complete a Membership/Volunteer guidelines agreement form prior to any actual student contact.

C. Action Plans are to be filled out prior to any formal booster action.

**III. Membership**

A. The Nixa Public Schools Band Booster Organization is a non-profit organization open to the public at large.

B. There are no monetary dues or fees.

C. Membership in the Nixa Band Boosters is open to anyone who wants to support the Nixa Band Program. Membership may include parents, relatives, alumni, and community members and are welcome to participate in any way they choose. There are no dues but membership is contingent upon completion of the Nixa Public Schools volunteer application.

**IV. Adopt the Band**

A. Parents, community members and businesses can "adopt" the band boosters at different monetary levels.

B. The Adoption program must be maintained in accordance with Nixa Public Schools fundraising policy.

**V. Meeting Times and Frequency**

A. Meetings will be held the 3rd Tuesday of each month while school is in session, unless otherwise noted. If for any reason school is not in session, the meeting will be held the 4th Tuesday. No meetings, except ones called by the President of the Executive committee will be held during summer vacations.

B. Meetings will be held at the Nixa High School Band Room unless other arrangements need to be made.

C. Meeting times will be determined by the Band Booster Executive committee at their first meeting of the year.

**VI. Formal Plan of Meeting**

A. President sets agenda one week prior to general meeting for approval by Executive Committee.

B. Call to order by President or Vice-President, if President is unavailable.

C. Reading of the Officer Reports (Secretary and Treasurer) with second an approval by membership.

D. Directors Reports

E. Committee reports of activities.
F. Old Business
G. New Business
H. Adjournment
I. The rules contained in the current edition of ***Robert's Rules of Order Newly Revised*** shall govern the Society in all cases to which they are applicable and in which they are not inconsistent with these bylaws and any special rules of order the Nixa Band Boosters may adopt.

**VII. Treasury Procedures**

A. Financial Bookkeeping

1. At minimum three members of the Executive Committee will be designated as signers on the checking account. Only one signature is to be required on checks. Expenditures will be approved by the members of the Executive Committee, or by a vote of booster membership as a whole.
2. Itemized receipts and proof of expenditures. All expenditures should have a receipt. Any checks written to the Nixa Public Schools, the treasurer will call the district Financial Services Department and request an invoice. This invoice will be attached to the expenditure form.
3. During budget review process in executive session, the executive council shall work in conjunction with the Band Director to guide each other where additional funds may be required.
4. The financial/fiscal year will be from July 1st – June 30th.

B. Purchasing Authority

1. Purchases are to be made after voted approval by the membership at large.
2. There are times that purchases may need to be made prior to monthly meetings, including during the summer months. The executive committee has the authority to make such purchases with a majority approval. Efforts should be made to keep these situations to a minimum. The Executive Committee and or membership shall not obligate the Nixa Band Booster's beyond its financial assets.

**VIII. By-law Revisions**

A. Any revisions to the bylaws must be approved by the executive council. Once approved, the by-law revisions must be taken to the next general meeting.
By-laws must be approved by a 2/3 vote of the active members present (see III Membership C)
By-laws are to be reviewed by the Nixa Public Schools District office bi-annually to make sure all current procedures and policies are up to date.

**IX. Removal – Dismissal of Officers/Members**

Officers/members may be removed for misconduct and/or dereliction of duties via the process outlined below.
Misconduct (Officers and Members) - A willful act against these Bylaws, District rules and/or policies and/or the commission or conviction of a crime that could place children at risk and/or negatively impact the mission and reputation of the program and/or the Boosters.
In the case of misconduct, an individual being named as a suspect in, or arrested for, an alleged crime is sufficient grounds for a temporary suspension of duties/membership while a criminal investigation and/or trial commences. Temporary suspension of duties/membership must be approved by a unanimous vote of the Executive Committee (or in the case involving an officer the remaining officers).
Dereliction of Duties (Officers) - The negligence of an officer's responsibilities without prior approval of the general membership for a period of time exceeding thirty (30) days and/or violation of the responsibilities of office and/or failure to or the inability to maintain a satisfactory volunteer background check. A Petition for Removal of an officer/member may be initiated by two (2) or more of the Executive Committee members or by

a petition signed by fifty (50) general members. The reason(s) for removal shall be stated in the petition.
Once the removal process has been satisfactorily initiated the Executive Committee shall assign an independent investigator, that being an individual that has not signed a petition nor called for the removal of the officer/member, to conduct an investigation and gather facts pertaining to the charges/allegations brought forth in the petition. The investigation shall, when possible, be completed by an individual with experience in law enforcement and/or investigations. The initiation of an investigation does not require a vote of the Executive Committee nor general membership only the successful initiation of the Petition for Removal as stated above.
Upon completion of the investigation the findings shall be presented to the Executive Committee in writing or orally by the investigator. If an oral report is presented a written report shall be made available as part of the official record. The Executive Committee may ask questions or require additional investigation however; the Petition for Removal shall be placed on the agenda for next regular meeting.
NOTE: Nothing contained in this section shall stop or prohibit the Executive Committee from requesting or offering the individual subject to this process an opportunity to resign from office and/or membership.

In addition, the Executive Committee may seek assistance including legal counsel/representation regarding the investigation, review of investigative findings, removal proceedings/actions, and appearance at the meeting(s) where removal is being considered etc., providing such expenditure is approved in keeping with the Bylaws. At the meeting the Petition for Removal shall be considered, the reason for the petition read into the minutes and the subsequent investigation results shared. Motions and seconds may be made to reject the petition or remove the officer. The motion is then followed by a secret ballot of the general membership present. A 2/3rd vote of the members present at the meeting is required for either rejection of the petition or removal of the officer/member to pass. If neither motion is successful the officer shall remain in office for the duration of their term, a member shall remain a member until a subsequent action is commenced and successfully completed. If the officer is removed nominations to fill the position will be solicited and an election held at the next regular meeting or a special meeting may be called in keeping within the Bylaws.
In any of the actions listed above the officer/member subject to an action need not be present at the meeting(s) at which the introduction, discussion, motion(s) and/or votes on the action take place. If absent the officer/member subject to the action may appoint a representative or submit a written response to be read into the record. If not present the officer/member subject to an action shall be informed of the decision in writing within five (5) business days. The results of the meeting are final and may not be appealed to the Executive Board or membership.