

**LAKOTA EAST UPBEAT CLUB, INC.
BYLAWS**

ARTICLE I

NAME OF ORGANIZATION

The name of this organization shall be Lakota East Upbeat Club, Inc., hereafter referred to as Lakota East Upbeat Club as well as LEUC.

ARTICLE II

MISSION STATEMENT

The mission of the Lakota East Upbeat Club is to support musicianship and active student engagement that ultimately impact and benefit the Lakota East Band Programs. LEUC supports efforts to promote the benefits of music programs by advocating for instruction and performance opportunities. As a booster organization, its primary function is to support the administration, directors, and band program members which enrich the school environment and the students' experience at Lakota East High School.

The Lakota East Upbeat Club strives to support the Lakota East Band Program* by providing volunteers, leadership to coordinate events, organization of physical equipment, financial support, advocacy and problem solving solutions for band program activities all within the boundaries of partnership and cooperation with band program directors and Lakota Local School District policies.

**See Article V, Section 1*

ARTICLE III

BASIC POLICIES

Section 1

The proper performance of Lakota East Upbeat Club business is dependent upon the maintenance of high standards of honesty, integrity, impartiality, and appropriate conduct by the LEUC Board and its Volunteers in accordance with Lakota Local School Policies.

Section 2

LEUC will provide and maintain a detailed outline of best practices for all LEUC programs in a separate document, 'Lakota East Upbeat Club Policies and Procedures Guide' to be made available to all its members. Included, but not limited to: Audit Procedures, Spending Policy, Communication Procedures, Publishing Policy, Chaperone Training, and Volunteer Practices.

Section 3

LEUC adopts the following guidelines for conduct to assure that conflicts of interest do not occur. These guidelines are not intended to be all inclusive, nor to substitute for good judgment on the part of its members:

- A. Lakota East Upbeat Club, Inc. is a nonprofit corporation organized and existing under Chapter 1702 of the Revised Code of the State of Ohio.
- B. Articles of Incorporation have been filed with the Secretary of the State of Ohio, incorporating the Lakota East Upbeat Club, Inc.
- C. Lakota East Upbeat Club shall be noncommercial, nonsectarian, and nonpartisan.

- D. The name of the Organization (Lakota East Upbeat Club) and the names of any members in their official capacities shall not be used in any connection with a commercial concern or with any partisan interest or for any purpose not appropriately related to promotion of the goals of the Lakota East Upbeat Club.
- E. Lakota East Upbeat Club shall not directly or indirectly participate or intervene in any way (including the publishing or distribution of statements) in any political campaign or behalf of, or in opposition to, any candidate for any political office.
- F. No member shall engage in or have a financial interest, directly or indirectly, in any activity that conflicts or raises a reasonable question of conflict with his/her duties and responsibilities LEUC. Included, by way of illustration rather than limitation are the following:
 - 1. Fundraisers are independent of self-promotion
 - i.e.: Fundraisers will not be offered for the purpose of compensation/benefit to a member or that member's business
 - 2. With regard to Scholarship
 - i.e.: A member related to program member being considered for scholarship will not be part of the scholarship selection committee

ARTICLE IV

ARTICLES OF INCORPORATION

The listing is included in these By-Laws as required by the IRS.

Purpose for which corporation is formed:

- A. Said organization is organized exclusively for charitable, religious, educational, and scientific purposes, including, for such purposes, the making of distributions to organizations that qualify as exempt organizations under section 501(c)(3) of the Internal Revenue Code, or corresponding section of any future federal tax code.
- B. No part of the net earnings of the organization shall inure to the benefit of, or be distributable to its members, trustees, officers, or other private persons, except that the organization shall be authorized and empowered to pay reasonable compensation for services rendered and to make payments and distributions in furtherance of the purposes set forth in the purpose clause hereof. No substantial part of the activities of the organization shall be the carrying on of the propaganda, or otherwise attempting to influence legislation, and the publishing or distribution of statements, any political campaign on behalf of any candidate for public office. Notwithstanding any other provision of the documents, the organization shall not carry on any other activities not permitted to be carried on (a) by an organization exempt for federal income tax under section 501(c) (3) of the Internal Revenue Code, or corresponding section of any future federal tax code, or (b) by an organization, contributions to which are deductible under section 170 (c) (2) of the Internal Revenue Code, or corresponding section of any future federal tax code.
- C. Upon the dissolution of the organization, assets shall be distributed for one or more exempt purposes within the meaning of section 501(c)(3) of the Internal Revenue Code, or corresponding section of any future federal tax code, or shall be distributed to the federal government, or to a state or local government, for a public purpose. Any such assets not disposed of shall be disposed of by the Court of Common Pleas of the county in which the principal office of the organization 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

MEMBERSHIP

Section 1

Membership in Lakota East Upbeat Club includes any parent or legal guardian of enrolled Lakota East Band Program students, directors and assistant directors. The Lakota East Band Program shall be defined as any grade nine through twelve performance group for students assigned to the Lakota East High School Attendance Zones*. The Band Program includes, but is not limited to, Concert Bands, Jazz Bands, Marching Band, Pep Band, Pit Orchestra, Winter Guard, and any other Ensemble or activity.

**Lakota East High School includes two buildings, the Freshman Campus (9th) located at 7630 Bethany Lane, Liberty Township, Ohio 45044, and the Main Campus (10th -12th) located at 6840 Lakota Lane, Liberty Township, OH 45044*

Section 2

The privilege of holding office, introducing motions, debating and voting shall be limited to parents and legal guardians of enrolled LEHS band program students. The privilege of debating an issue or motion shall be open to all persons present at Upbeat Meetings. Directors, Assistant Directors, and additional attendees without an enrolled student in a band program are non-voting contributors.

Section 3

LEUC considers Lakota employed program directors and instructors of 6th-8th grade students in the LEHS feeder schools essential to the foundation of LEHS band programs and therefore part of its membership.

ARTICLE VI

FUTURE LEHS BAND MEMBERS

LEUC wishes to build supportive, welcoming relationships with future LEHS band members.

Section 1

LEUC extends an open invitation to any parent or legal guardian of enrolled 6-8 grade band program students in an LEHS feeder school as a guest at Upbeat meetings and functions though may not hold an office nor chair position.

Section 2

By invitation and with approval in accordance of policy (see Article VII), any parent or legal guardian of enrolled 6-8 grade band program students in an LEHS feeder school may serve as a volunteer at LEUC functions.

Section 3

LEUC intends to serve as a bridge for incoming band members and their parents/guardians in cooperation and response to what the LEHS Band Directors and Directors at the LEHS feeder Elementaries and Junior Highs request. Included, by way of illustration rather than limitation are the following:

- a. Inviting 6-8 grade directors to give a report at Upbeat meetings;
- b. Listing Concert dates on the Upbeat website calendar;
- c. Selling LEHS Band Spiritwear at Junior High concerts;
- d. Providing and attending informational meetings regarding band matters at the junior high;
- e. Providing meal for Jr. High band participants of 'East Band Program Night' during football season;
- f. Partnering/Promoting Jr. High and High School combined events like Swing Dance and CJNH, etc.

ARTICLE VII

CHAIRPERSONS AND VOLUNTEERS

Section 1

All members of Lakota East Upbeat Club, especially Chairpersons and Volunteers, must strictly adhere to items outlined in the 'Lakota East Upbeat Club Policies and Procedures Guide'.

Section 2

Chairperson(s) for approved LEUC activity will be appointed by the President from eligible LEUC members. Chairperson(s) found not in compliance with LEUC policies and procedures will be removed from the role.

Section 3

All members of Lakota East Upbeat Club entrusted with coordinating projects are required to obtain approval from LEUC Executive Board of any contract before committing Lakota East Upbeat Club funds. Each contract will require the signature of the Chair of the project as well as the signature of the President or his/her delegate.

Section 4

The officers and chairpersons shall maintain a file of timelines and guidelines that indicate their responsibilities for the project or role to be submitted at the conclusion of the project or term in office.

Section 5

Volunteers must indicate their willingness to serve by signing up through invitation and in advance of the request for assistance. Volunteers must follow LEUC policies and procedures in order to be considered eligible to offer their help. Should the LEUC Executive Board and/or Lakota staff members find a volunteer no longer needed nor in compliance, the volunteer will be removed from serving.

Section 6

Chaperones, especially those selected for overnight duties, must be approved by a Lakota Local Schools staff member through application process or background check or consultation or any combination therein to satisfy Lakota Local Schools Policy.

Section 7

Reimbursement requests for expenses incurred on behalf of the Lakota East Upbeat Club must have prior approval from the Lakota East Upbeat Club Executive Board and must include a copy of appropriate receipts. Expenses incurred without prior approval will NOT be reimbursed. LEUC is a tax exempt organization therefore sales tax is not reimbursable.

ARTICLE VIII

OFFICERS AND THEIR ELECTION

Section 1

Upbeat Officers, or The Executive Board, shall be elected from the eligible membership as outlined in Article V, Section 1 during the school year they serve.

Section 2

- A. The Executive Board of the Lakota East Upbeat Club shall consist of a President, 2 Vice-Presidents, Secretary, and Treasurer, to be elected annually.
 1. *With regard to the positions of President, Vice-Presidents, Secretary, and Treasurer:* Term limits do not apply
 2. *With regard to the positions of Vice-Presidents:* one person would be designated the VP of Ways & Means and one person would be designated the VP of Student Activities.
- B. Officers shall assume their duties May 31 and shall serve for a term of one year, with the exception of the Treasurer who shall serve until the end of the fiscal year, May 31, and LEUC accounts have been audited and closed for the year (typically in July, but no later than September) {See Article IX, Section 4-D for exception}

Section 3

The duties of the Executive Board shall be:

- A. To transact necessary business in the intervals between LEUC meetings and such other business as may be referred to LEUC.
- B. To approve the plans of work of the standing committees.
- C. To approve contracts and routine bills within the limits of the budget.
- D. To appoint an Audit Board at least two weeks before the last regular meeting to audit the Treasurer's accounts. The Audit Board will consist of at least one person from general membership and one person from the Executive Board excluding the President and the Treasurer. (See Article IX, Section 4-E)

Section 4

The Election Process shall be:

- A. The Executive Board will begin in February to accept nominations for at least one (1) eligible person for each office to be filled, and report its nominees to the LEUC Membership in April unless otherwise determined by the Executive Board. Additional nominations may be accepted prior to election.
- B. All Junior Schools that feed into LEHS shall be contacted for prospective nominees.
- C. Only those persons who have signified their consent to serve if elected will be nominated for or elected to such office.
- D. Only eligible members of LEUC will be permitted to vote. (Article V, Sections 1 & 2)
- E. The election of officers will be held at the last LEUC meeting of the current school year with the duly elected officers fulfilling their roles June 1st LEUC Board meeting unless otherwise decided by the Executive Board.
- F. A vacancy occurring in any elective position shall be filled for the unexpired term by a person elected by a majority vote of the remaining members of the Executive Board.
- G. Officers who consistently do not meet the requirements of their duly elected position will be asked to step down from their position should the lapse in duty not be resolved. The vacancy will be filled as indicated in Article VIII, Section 4-F.

ARTICLE IX

DUTIES OF OFFICERS

Section 1

The duties of the President include, but are not limited to the following:

- A. The President shall preside at all meetings of LEUC and of the Executive Board and shall perform such other duties as may be prescribed in these bylaws or assigned to him/her by LEUC or by the Executive Board, in order that its goals may be promoted.
- B. The President shall create standing committees and appoint chairs of such committees.
- C. Along with the cooperation of the Vice-Presidents, the President will also oversee the work of the committees of LEUC.

Section 2

The Vice-Presidents shall act as aide to the President and shall perform the duties of the President in the absence or inability of that officer to act and shall perform such other duties as may be delegated to him/her.

A. Vice-President of Ways and Means

Duties include, but are not limited to, the following:

1. VP of Ways and Means shall be the contact officer for the Chairperson(s) of standing committees which primarily function to raise monies for LEUC including, but not limited to, Tag Day, Swing Dance, Cool Jazz n' Hotcakes, Spiritwear, etc.
2. VP of Ways and Means will be responsible for leading the efforts of the Executive Board to recruit appropriate LEUC members to serve as Chairs for each fundraising project.
3. In the event that a Chair is not found to coordinate a fundraising project, the VP of Ways and Means will need to serve as Chair for said project or determine with the Executive Board to dissolve the project.
4. In the event that the President is no longer able to serve in the role, the VP of Ways and Means will continue the term of the President until a suitable person can be elected or the end of the term.

B. Vice-President of Student Activities

Duties include, but are not limited to, the following:

1. VP of Student Activities will oversee all LEUC supported Student Activities including, but not limited to, Marching Band Season Events: MB Camp, Lakota East Band Night, Senior Night, Trips, Game Nights; District XIII State Contest, Senior Dinner, Scholarship, Band Awards Ceremony, etc.
2. The VP of Student Activities will be responsible for leading the efforts of the Executive Board to recruit appropriate LEUC members to serve as Chairs for each Student Activity Program.
3. In the event that a Chair is not found to coordinate a student activity project, the VP of Student Activities will need to serve as Chair for said project or determine with the Executive Board to dissolve the project.

Section 3

The duties of the Secretary include, but are not limited to the following:

- A. The Secretary shall record and distribute the minutes of all meetings of LEUC and of the Executive Board, shall notify board of all meetings of LEUC and of the Executive Board, shall reply to any correspondence deemed necessary by the President, and shall perform such duties as may be delegated to him/her.
- B. The Secretary will maintain a list of LEUC Members to be used for Volunteer needs throughout the year. The Secretary will recruit volunteers from the membership as needed and serve as a source of assistance to Chairs by creating volunteer sign ups as necessary.
- C. The Secretary will maintain LEUC records in an organized way.
- D. The Secretary will maintain the By-Laws and coordinate review and revisions as necessary with the approval of the Executive Board.

Section 4

The duties of the Treasurer include, but are not limited to the following:

- A. The Treasurer shall have custody of all funds of LEUC; shall keep a full and an accurate account of receipts and expenditures, and shall make disbursements as authorized by LEUC, the Executive Board, or a special committee.
- B. The Treasurer will include a written document (donation letter) whenever LEUC provides a donation to Lakota Local School District. A copy will be kept in LEUC financial records in accordance with satisfying the 501(c) 3 requirements found on pg. 18 Section II e.
- C. The Treasurer shall present a financial statement at every meeting of LEUC and at other times when requested by the Executive Board. A monthly Bank Reconciliation Report will be available upon request.
- D. The Treasurer's term of office shall coincide with the fiscal year, June 1-May 31, and/or until LEUC accounts have been audited and closed for the year with the exception of when a new Treasurer has been elected to serve the following school year. In that case, both the outgoing and incoming Treasurers will coordinate efforts to transition the accounts from one to the other.
- E. The Treasurer's accounts shall be examined annually by an Audit Board, which consists of at least one person from general membership and one Executive Board excluding the President and the Treasurer because they are signers on the accounts. President and Treasurer shall be available to the Audit Board for clarification of documents. This audit must be completed by September. See 'Lakota East Upbeat Club Policies and Procedures Guide' for Recommended Audit Procedures.
- F. The Treasurer will review the Federal Regulations as provided in Article IV of these By-Laws, and will be responsible for submitting amendments to these By-Laws as necessary. This should be done annually at the end of the fiscal year or when Tax Laws change.
- G. Maintain a permanent record for 7 years in accordance with IRS guidelines. After which, files need to be shredded and disposed of properly.
- H. In accordance with regulation of the State of Ohio, Attorney General's Office, and IRS, the Treasurer will oversee submission of any required documentation.

ARTICLE X

MEETINGS

Section 1

- A. Lakota East Upbeat Club meetings are open to the eligible membership as outlined in Article V. Section 1, and shall be held each month, unless deemed otherwise by the Board.
- B. An executive board meeting may precede the general membership meeting if deemed necessary by any officer.
- C. Guests are welcome by invitation of the Executive Board to Lakota East Upbeat Club Meetings and/or Executive Board Meetings.

Section 2

- A. Special meetings may be called by the Executive Board.
- B. An emergency vote by the Executive Board may be taken by telephone and/or email. This shall be recorded at the next Lakota East Upbeat Club regular meeting.

Section 3

- A. The members present at any duly announced meeting shall constitute a quorum for transaction of business in any meeting of Lakota East Upbeat Club.
- B. The members shall make decisions and delegate tasks by majority vote of those in attendance.

ARTICLE XI

AMENDMENTS TO THE BYLAWS

Section 1

These bylaws may be amended at any regular meeting of the Lakota East Upbeat Club by two-thirds (2/3) vote of the members present and voting said amendment having been previously approved by a majority of the Executive Board.

Section 2

By-Laws should be reviewed by Executive Board between annual elections of the Board and the beginning of the Fiscal Year (June 1). Any revisions should be noted by an asterisk (*) unless minor grammatical corrections. Acceptance of Amended By-Laws should follow the guidelines as established in Article XI Section 1.

ARTICLE XII

FISCAL YEAR

The fiscal year of this organization, Lakota East Upbeat Club, Inc., shall begin June 1 and end on the following May 31.