

**PANTHER CREEK HIGH SCHOOL CHORAL BOOSTERS**  
A NON-PROFIT ORGANIZATION  
BY-LAWS

**INTRODUCTION**

The name of the Organization is Panther Creek High School Choral Boosters. The Officers of the Organization shall be known as the Choral Booster Board. Persons with General Membership in the Organization will be known as Members. The By-Laws provide the constitution for the Panther Creek High School Choral Boosters and all references to the Organization includes the Officers, the Choral Booster Board and the Members of the Organization.

**ARTICLE I**  
**OFFICES**

The principal office of the Organization shall be located at Panther Creek High School, 6770 McCrimmon Parkway, Cary, North Carolina, 27519. Permanent records are to be maintained at the principal office of this Organization.

**ARTICLE II**  
**PURPOSE**

The exempt purpose of the Organization is to help finance and support the Panther Creek High School Choral Music Department and the directives of its Choral Director for charitable and educational purposes. The Organization will be community-wide in an effort to provide resources not financed by the public school system.

**ARTICLE III**  
**BASIC POLICIES**

The following are basic policies of the Panther Creek High School Choral Boosters:

- a. The Organization shall be noncommercial, nonsectarian and nonpartisan.
- b. The name of the Organization or names of any Members in their official capacities shall not be used to endorse or promote a commercial concern or in connection with any partisan interest or for any purpose not appropriately related to promotion of the objectives of the Organization.
- c. The Organization shall not directly or indirectly participate or intervene (in any way, including the publishing or distributing of statements) in any political campaign on behalf of, or in opposition to, any candidate for public office; or devote more than an insubstantial part of its activities to attempting to influence legislation by propaganda or otherwise.

d. The Organization shall not enter into membership with other organizations except such international or national organizations as may be approved by the Choral Booster Board. This Organization may cooperate with other organizations and agencies concerned with child welfare, but a member shall make no commitments that bind this Organization without the express permission of the Choral Booster Board.

e. No part of the net earnings of the Organization shall inure to the benefit of, or be distributable to its Officers, Members, Directors, Independent Contractors or other private parties or companies except that the Organization be authorized and empowered to pay reasonable compensation for services rendered and to make payments and distributions to the furtherance of the charitable and educational purposes set forth. Compensation arrangements will be made in advance of paying the individual or companies, will be voted on by a majority vote of the Officers not to include the compensated parties, and will be documented in writing in the official minutes of the Organization with the date and terms of the approved compensation arrangements along with specifics of the decision made by each individual who voted on the compensation arrangements as well as information of compliance with other similarly situated taxable or tax-exempt organizations for similar services. Any reasonable compensation for services rendered will follow a conflict of interest policy whereas the compensated parties will only be compensated for reasonable services that will not compromise the Organization and its purposes, the compensated parties will not vote on the compensation arrangement, and the Choral Booster Board will determine independent of the potential compensated parties whether a conflict of interest exists.

f. Notwithstanding any other provision of these articles, the Organization shall not carry on any other activities not permitted to be carried on (i) by an organization complying with Federal income tax law under Section 501( c )(3) of the Internal Revenue Code, or (ii) by an organization in which contributions are deductible under Section 170(c) (2) of the Internal Revenue Code, and (iii) by an organization governed by the provisions of non-profit corporations under Chapter 55A of the North Carolina General Statutes.

g. Gross assets acquired by the Organization by purchase, construction, donation, gifts, trade or other means will remain the sole property of the Panther Creek High School Choral Boosters unless there is a Dissolution of the Organization in which case the distribution of gross assets is provided for within the By-Laws.

## **ARTICLE IV MEMBERS**

**Section 1. Classes of Membership.** There shall be a General Membership comprised of Panther Creek High School Choral Music Department parents and/or legal guardians. One or more parents and/or legal guardians of a Panther Creek High School Choral Music Department student shall constitute a Family.

**Section 2. Election of Members.** General Membership requires no election or appointment. Any person interested in becoming a Member of the Panther Creek High School Choral Boosters shall make this fact known to the Choral Director or then duly elected President.

**Section 3. Voting Rights.** Each Family shall be entitled to one vote per Panther Creek High School Choral Music Department student on each matter submitted to a vote of the Members at General or Special Meetings. The Family must be present to vote.

**Section 4. Termination of Membership.** Members may resign at any time.

## **ARTICLE V OFFICERS**

**Section 1. Officers.** The Officers of the Organization shall be known as the Choral Booster Board. The Choral Booster Board shall include the following offices:

- President
- Vice President
- Secretary
- Treasurer
- At-Large Delegate/Choral Director

**Section 2. Election and Term of Office.** The Officers of the Choral Booster Board shall be nominated and elected annually by the General Membership for a term of one year. The Choral Director is automatically the At-Large Delegate for the Choral Booster Board. Additionally, the Choral Director can make appointments for Officers if nominations and elections are not duly made by the General Membership.

**Section 3. Powers and Duties.** The Officers shall have such powers and shall perform such duties as may time-from-time be specified in resolutions or other directives of the Organization. In the absence of such specifications, each Officer shall have the powers and authority and shall perform and discharge the duties of the office of the same title serving a non-profit organization.

**President.** The President shall preside at all General Meetings and serve as an ex-officio member of all committees. The President shall encourage participation of all Members, and shall work directly with other elected Officers in preparing reports and permanent records. The President can call Special Meetings as deemed necessary.

**Vice President.** The Vice President shall assume the duties of the President when necessary, and assist the President in coordination of various responsibilities for the Organization. The Vice President shall also be responsible for handling special projects as assigned by the Choral Director or Booster President. The Vice President position may also be divided if desired each year so as to exist in the format of committee chairman, such as Vice President of Talent Show, Vice President of Silent Auction, Vice President of Concerts, Vice President of Trips, Vice President of Fundraising, etc.

**Secretary.** The Secretary shall keep accurate minutes of all General and Special Meetings. The Secretary shall serve as custodian of all official papers, and care for correspondence as directed. The Secretary position may also be divided if desired each year so as to exist in the format of committee chairman, such as Financial Secretary, Corresponding Secretary, etc.

**Treasurer.** The Treasurer shall account for all funds of the Organization, collect all monies, make financial reports at General and Special Meetings, file all required returns for federal, state and local taxes including but not limited to required forms such as a Form 1099 going to those performing a service to the Organization and make deposits to the credit of the Organization all in accordance with the provisions in the Annual Budget adopted by the Organization. The Treasurer position may also be divided if desired each year so as to exist in the format of committee chairman, such as Treasurer, Assistant Treasurer, Corresponding Treasurer, etc.

**Section 4. Removal.** Whenever in its judgment the best interest of the Organization would be better served, the Choral Booster Board may remove an Officer, elected or appointed, by a majority vote of the Choral Booster Board. Any Officer that fails to attend three consecutive meetings may be removed from office by a majority vote of the Choral Booster Board.

**Section 5. Vacancies.** A vacancy occurring in any Office during the fiscal year because of death, resignation, removal or disqualification shall be filled by a person elected by a majority vote of the remaining Officers, notice of such election having been given. In case a vacancy occurs in the office of President, a Vice President shall serve notice of the election. Additionally, the Choral Director can make appointments for Officers if nominations and elections are not duly made by the Officers.

## **ARTICLE VI CONTRACTS, DEPOSITS, CHECKS, AND FUNDS**

**Section 1. Contracts.** The Choral Booster Board may authorize any Officer of the Organization to enter into any contract of purchase of necessary equipment or resources, provided there are funds available to cover such costs.

**Section 2. Checks, Drafts, or Orders.** All checks are to be signed by the Treasurer or Choral Director. No check may be signed and delivered without documented evidence of charge.

**Section 3. Deposits.** All funds of the Organization shall be deposited periodically to the credit of the Organization in a bank or trust company.

**Section 4. Gifts.** The Choral Booster Board may accept, on behalf of the Organization, any contribution, gift, bequest, donation or device for any purpose of the Organization.

**Section 5. Annual Budget.** The Annual Budget will be adopted by an Officer vote at the beginning of each fiscal year that will include a plan of work consisting of activities and programs for the upcoming year for the Panther Creek High School Choral Boosters in collaboration with the Choral Director and his needs for the Panther Creek High School Choral Music Department.

**ARTICLE VII  
BOOKS AND RECORDS**

The Organization shall keep correct and complete books and records of account and shall also keep minutes of the proceedings of its meetings. All books and records of the Organization may be inspected by any Member, and his agent, at any reasonable time. The accounts shall be examined annually by an auditing committee chosen by the Choral Booster Board. An audit of the accounts is for the protection of the Organization and a means to assure the accounts are accurate.

**ARTICLE VIII  
FISCAL YEAR**

The fiscal year of the Organization shall be August 1 to July 31.

**ARTICLE IX  
DISSOLUTION**

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 a Court of Competent Jurisdiction 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 X  
AMENDMENT OF BY-LAWS**

These By-Laws may be altered, amended, or repealed, and new By-Laws may be adopted by a simple majority vote of the Officers of the Organization at any General or Special Meeting. A vote for the amendment of the By-Laws may be submitted by an Officer via written or email communication. The new By-Laws shall become effective immediately upon this vote or on a date specified for adoption as decided by vote of the Officers.

The undersigned certify the foregoing By-Laws have been adopted as the official By-Laws for the Panther Creek High School Choral Boosters on this 12th day of November, 2015.

\_\_\_\_\_, Larry Stiver, President

\_\_\_\_\_, Melissa Golomb, Secretary

\_\_\_\_\_, Brad Bensen, At-Large Delegate/Choral Director