

**BYLAWS
OF
THE HOOVER PERFORMING ARTS BOOSTERS
A CALIFORNIA PUBLIC BENEFIT CORPORATION**

The Mission of the Hoover Performing Arts Boosters is to support the performing arts department of Hoover Middle School, which includes but is not limited to drama, orchestra, band, dance, and choir classes.

**ARTICLE 1
NAME**

The name of this organization shall be the Hoover Performing Arts Boosters, hereafter referred to as “HPA Boosters”, a non-profit California public benefit corporation in Santa Clara County, California.

**ARTICLE 2
PURPOSES**

SECTION 1. OBJECTIVES AND PURPOSES

The primary objectives and purposes of this corporation shall be: to give material and financial support to the Hoover Middle School performing arts program(s) beyond that which is provided by San Jose Unified School District; to help satisfy the performing arts needs of the Hoover Middle school community; to cooperate with the Hoover faculty to promote performing arts education.

**ARTICLE 3
BASIC POLICIES**

1. The HPA Boosters shall be non-commercial, non-sectarian and non-partisan, except as permitted in paragraph 5 below.
2. The organization shall cooperate with the school and the San Jose Unified School District to support the improvements of performing arts education for the students of Hoover Middle School in ways that will not interfere with the administration of the schools, and shall not seek to control their policies.
3. The name of the HPA Boosters or the names of any members in their official capacities shall not be used in connection with a commercial concern or with any partisan interest for any purpose not appropriately related to promotion of the objectives of the organization.
4. The HPA Boosters will sponsor fundraising activities as its main source of income to support its activities.

5. The HPA Boosters, and members in their official capacities, will not participate or intervene in any political campaign on behalf of, or in opposition to, any candidate for public office. The HPA Boosters may support organizations which have as a primary activity the seeking and interviewing candidates for election to the School District's Board of Education, but may not engage in support of, or in opposition to, any candidate s which emerge from that process.

ARTICLE 4 MEMBERSHIP AND DUES

1. Any Hoover Middle School parent/guardian of a student currently enrolled or the parent of an alumnus or a (student) alumnus who is willing to uphold the policies and subscribe to the by-laws of the HPA Boosters may become a member upon payment of dues, as hereinafter provided. School staff is automatically members.
2. Dues for membership shall be determined annually.
3. The membership year shall be from August 1 through July 31. Any person joining during the year shall pay full dues for the current year.
4. Only members whose current dues are paid to this organization shall have the privilege of holding office, introducing motions, debating, and voting.

ARTICLE 5 MEETINGS OF MEMBERSHIP

1. Meetings shall be held monthly September through May, unless otherwise provided by the Executive Board.
2. The agenda will be posted at least 24 hours prior to scheduled meetings and available in the school office and on the webpage of the HPA Boosters. The agenda may be supplemented or modified at the meeting upon the duly adopted motion of any member, or at the direction of the chair.
3. The members present shall constitute a quorum for the business of the HPA Boosters. Unless otherwise required by law or these by-laws, any measure submitted for action by the membership shall be moved and seconded and deemed carried if it receives the "yes" vote of a majority of the members present and actually voting. An abstention will not be considered to be a vote in determining whether a motion carries or fails.

**ARTICLE 6
AMENDMENTS TO ARTICLES 1-7 AND BY-LAW REVIEW**

The President and Vice-President if there is one or in the absence of the President, shall be the HPA Booster's representative to the By-Law Review Committee composed of the Executive Vice-President, President, Ex-Officio, one (1) current Board member and one (1) member-at-large, as outlined in Article 13, section 3. In January of even numbered years, the By-Law Review Committee shall meet at the call of any member to review Articles 1 through 7 of these by-laws and determine if they are to remain unchanged and submit them to the Executive Board by April for discussion and then action by the membership in May of the same year. Amendments to Articles 1 through 7 must receive the "yes" vote of a majority of the members in attendance at the regularly scheduled May meeting or at a special meeting called for the purpose of considering amendments to these articles of the by-laws.

**ARTICLE 7
OFFICERS AND THEIR ELECTION**

SECTION 1: The officers of this organization shall be a President, an Executive Vice-President, a Vice-President-Communications, a Vice-President-Social, a Secretary, and Treasurer. The term of office shall be for a period of one (1) year and it is suggested that no officer shall serve more than two (2) consecutive terms in the same capacity.

SECTION 2: A nominating committee composed of five (5) members shall be appointed in January. The current President shall chair this committee and act in the capacity of a non-voting advisor. The remaining membership shall be composed of the Executive Vice-President, as the current board officer, one (1) current first year board member, one (1) current senior board member, one (1) member-at-large, and one (1) teacher.

The Nominating committee shall select one candidate for each Executive Board position, announce the candidates at an HPA Boosters meeting, then give written notice (Posting on the office door and on the website) of the nominees to the membership at large, prior to the May meeting. The committee shall present the slate of nominees for officers at the May meeting for vote. Additional nominations may be made from the floor. No nominations shall be made without the consent of the candidate. In the case of nominations from the floor, the voting shall be by ballot. Should no nominations be made from the floor, the election shall be by voice vote.

SECTION 3: A majority of the members who are present shall elect the Executive Board.

SECTION 4: A vacancy occurring on the Executive Board shall be filled by appointment of the President with approval of the Board. The appointment will serve the unexpired term.

SECTION 5: Executive Board officers' job descriptions shall be kept as part of an addendum to these by-laws.

ARTICLE 8 DUTIES OF OFFICERS

SECTION 1: The President shall preside at all meetings of the HPA Boosters (Executive Board and regular monthly meetings), shall prepare and post agendas for monthly HPA Boosters meetings, and shall be ex-officio member of all committees except the Financial Review committee. The President shall perform all duties usually pertaining to the office.

SECTION 2: The Executive Vice-President shall perform the duties of the President in the absence or inability of that officer to act, and shall assist the President. The Executive Vice-President shall oversee all academic and student related committees, and shall coordinate all correspondence and gifts.

SECTION 3: The Vice President-Communications shall coordinate the HPA Boosters website and related committees.

SECTION 4: The Vice-President-Social shall coordinate all social activities and committees.

SECTION 5: The Secretary shall keep a correct record of all meetings of this organization and of the Executive Board, and shall perform such other duties as delegated to that office.

SECTION 6: The Treasurer shall receive all monies of this organization, shall keep an accurate record of receipts and expenditures, and shall pay out money only in such a manner as authorized by the Board and the by-laws.

The Treasurer shall use a double entry system with proper matching of income and expenses.

The Treasurer shall submit a monthly financial statement summarizing cash and accumulated earnings at each meeting.

SECTION 7: In any particular year the duties of the Executive, Communications and Social Vice-President may be combined or redistributed as necessary, based on the needs of the HPA Boosters organization of that school year.

SECTION 8: A non-budgeted payout totaling \$500.00 or less requiring immediate action between regular HPA Boosters meetings shall be authorized by a vote of the Executive Board, simple majority ruling. The vote and circumstances of the non-budgeted payout shall be presented to the Board at its next regular meeting for documentation.

**ARTICLE 9
BOARD ORGANIZATION**

SECTION 1: “The Executive Board” of the HPA Boosters shall consist of the Officers, the previous year’s President as ex-officio and the Principal of Hoover Middle School.

SECTION 2: “The Board” shall consist of the Executive Board, the chairpersons of standing committees, and the faculty representative of each of the performing arts disciplines of Hoover Middle school present at the school during the current school year.

**ARTICLE 10
STANDING COMMITTEES**

Ex-officio
Fundraising
Ticketing and programs
Volunteer coordination

SECTION 1: Membership of each committee shall be appointed by the chairperson of that committee. Each chair person shall keep a written record of the activities and procedures of the committee to be passed on to the successive committees. The suggested term of office is two (2) years that may or may not be staggered.

SECTION 2: Standing committee and committee-at-large job descriptions shall be kept as part of an addendum to these by-laws.

**ARTICLE 11
BUDGET**

SECTION 1: The president, the Executive Vice-President, and the Treasurer shall create a budget for presentation at the first HPA Boosters meeting. They shall review the previous year’s budget and the committee report forms prior to creating the budget.

SECTION 2: The President shall present an operating budget at the September meeting and it shall be approved by a majority of the members present.

SECTION 3: Any expenditure not approved in the budget shall be brought before the Board, with an estimate of the expense, for approval. Approval requires a motion, second, and a voice vote with simple majority ruling.

SECTION 4: Designated funds shall be held only for the HPA Booster's fiscal year. After that time, designated funds shall be placed back into the general fund of the HPA Boosters. Items budgeted for and not paid out by the end of the fiscal year (June 30) may be held over as an approved special designated expense until the accounts have been reconciled, prior to creating a new budget. All committee chairpersons shall give an accounting of all outstanding expenses to the Treasurer prior to the final HPA Boosters meeting of the year.

SECTION 5: Expenditures shall be for the benefit of the Hoover Middle school performing arts program(s), costs necessary to support the work of the HPA Boosters and the appropriate needs of Hoover Middle school.

SECTION 6: The fiscal year shall run from August 1 through July 31.

SECTION 7: A Financial Review committee composed of three (3) members shall be appointed by the President at the March meeting of the Board. This committee, consisting of two (2) at-large members and one (1) current Board member, shall review the accounts of the Treasurer and shall report their findings at the final meeting of the year. No officer of this organization shall serve on this committee.

ARTICLE 12-Gifts and /or Donations

Section 1: Gifts and/or donations shall be made at the discretion of the Board. Gifts to the school shall be made within the guidelines provided by the Board of Education concerning expenditures by school parent organizations. These District guidelines are appended by these by-laws.

ARTICLE 13 – Amendments and By-laws Review

Section 1: These by-laws may be amended at any regular meeting of this organization by a majority of the members present and voting.

Section 2: Review of these by-laws shall take place during winter of every even-numbered year. The Board shall review the By-law Review Committee's recommendations at the April meeting. The adoption of the by-laws as revised shall take place at the May meeting of every even-numbered year.

Section 3: The Executive Vice-President shall be the chairperson of the By-law Review Committee. The committee shall consist of the Executive Vice-President, President, Ex-Officio, one (1) current Board member and one (1) member-at-large.

ARTICLE 14 – Financial Considerations

Section 1: The HPA Boosters shall maintain a checking account under the name "Hoover Performing Arts". There will be allowed three individuals authorized to sign checks on the account, but only two signatures required on amounts over \$50.00. For amounts up to \$50.00, one signature is sufficient.

ADDENDUM to By-Laws: Job Descriptions

President – shall be the chief executive officer of the organization. The President shall have general charge and supervision of the organization and shall perform the duties pertaining to this office. The President shall conduct Executive Board meetings on a regular basis. The President shall be an ex-officio member of all committees except the financial review committee. When necessary, the President shall create and appoint special committees. The President shall be responsible for the maintenance of the HPA Boosters Committee files. The duties and areas of responsibility of the Executive Vice-President and existing board shall be assigned by the President. The President shall represent the organization at all school meetings where representation of the HPA Boosters is needed (principal meetings, PTSA)

Executive Vice-President – shall support the activities of the President and help wherever needed. In the event the President cannot attend a meeting, the Executive Vice-President shall preside in her/his place. The Executive Vice-President shall be in charge of correspondence duties (buying/sending thank-you, get well and sympathy cards), and providing support for all chairpersons, as needed.

Vice-President Communications – shall provide support for all chairpersons who deal with communications. The Vice-President Communications shall be the website Coordinator, who creates and maintains a website communication hub between parents and the HPA Boosters, its committees, and the school. The Vice-President Communications shall also attend Executive Board meetings and assist the President and Executive Vice-President as needed.

Vice-President Social – shall provide support for all chairpersons who deal with social events. The Vice-President Social shall coordinate all new social events, attend Executive Board meetings, and assist the President and Executive Vice-President as needed.

Secretary – shall take the minutes at the monthly HPA Boosters meetings, submit the minutes to the Vice-President Communications, copy and distribute the prior month's minutes at each HPA Boosters meeting, take minutes at the executive Board meeting, and copy and distribute HPA Boosters flyers when needed. Ensure all flyers have been approved by the principal and a copy is given to the office secretaries.

Treasurer – shall prepare and present the budget to the HPA Boosters. Prepare deposits for HPA Boosters, make all HPA Boosters deposits, write checks for all HPA Boosters expenses, prepare and present a monthly treasurer's report which includes the following: a statement of accounts, a tracking of how funds were spend during the month, and an evaluation of planned vs. actual expenses YTD. The Treasurer will also attend Executive Board meetings. Provide cash and cash boxes for HPA Boosters activities such as concerts and dramatic presentations. The Treasurer shall be responsible for ensuring Federal and State income and other tax filings are made and taxes are paid in a timely manner.

Chairpersons – for all committees are responsible for completing and “Official Committee Report” form to be included in the committee folder the Report form must be turned in by the final HPA meeting in May. In addition, the chairperson is responsible for providing the committee email address to be included in the HPA Boosters website.

Ex-Officio – (the immediate past President) is a member of the executive board.

Volunteer Coordinator – the chairperson is responsible for formulating a volunteer sign-up sheet to be sent out with the registration packet in August. The chairperson then collects all the completed forms and gives each committee chairperson a list of volunteers to be used during the course of the year. The chairperson may be called upon to recruit volunteers for various activities held at the school during the year.

ADDENDUM to By-Laws: Process to determine teacher allocations on HPA Boosters Budget and individual teacher requests

The performing arts teachers at Hoover Middle school may need financial support of the HPA Boosters. Before the HPA Boosters budget is finalized by the end of October at the start of the school year, each performing arts teacher will use the following process to determine the approximate dollar amount he or she believes is necessary for a successful school year.

- Assess the necessary consumable supplies needed. (strings, reeds, etc)
- Assess the durables needed (sheet music, costumes, material for sets, etc)
- Assess the equipment or improvements needed (sound equipment, microphones, dance floor)
- Present the written estimate to the principal of Hoover Middle School to determine how much, if any, may be provided in the budget of the school. Ask for a determination letter.
- Each teacher should present to the HPA budget committee the determination letter from the principal (or some other document in writing) for the needs not budgeted for in the school plan.

The HPA Boosters budget committee will review all the documented needs of all the teachers to determine how much of the budget to assign for teacher allocations. In January of the same school year, the budgeted teacher allocations will be reviewed to determine that the requests are still appropriate and to redistribute teacher allocations if necessary.

If an unexpected need not already included as part of the budget is identified by a performing arts teacher outside of the budget cycle, that need can be documented on the Teacher Request, Single Occurrence form and reviewed by the Executive Board of the HPA Boosters. If approved by the Executive Board, it will then be presented by the requesting teacher or his/her representative to the general membership at a regular monthly meeting of the HPA Boosters. A vote will be asked for, and if approved it will be funded by the HPA Boosters if the financial health of the HPA Boosters allows. A

Teacher Request, Single Occurrence form may be submitted to the Executive Board at any time during the school year.

Money allocated on the budget to any of the performing arts disciplines can be distributed by presenting an invoice to the HPA Booster Treasurer, or by presenting a receipt for reimbursement of monies paid by the teacher or his/her representative.

Receipts and invoices must be presented to the HPA Booster Treasurer by June 30 of the school year in order to be paid. Any allocation unused at this time will be moved into the general fund of the HPA Boosters to be reallocated the following school year. Any invoices or receipts for reimbursement outstanding after June 30 must be submitted with the Teacher Request, Single Occurrence form to go through the approval process, unless a special exception waiver to this rule is granted by the Executive Board.