



Bylaws

Article I - Name

Section 1. The name of this non-profit organization, established by Certificate of Incorporation No. 1784966 and these bylaws, shall be the Las Cruces High School Band Parents Association (hereafter LCHS BPA).

Section 2. These Bylaws are enacted in accordance with the New Mexico Non-Profit Corporation Act and shall apply to the regulation of affairs of the Las Cruces High School Band Parents Association, a non-profit corporation pursuant to said Act.

Article II – Nature & Purpose

Section 1. The purpose of this organization shall be to:

- A. Provide financial and volunteer support to the Las Cruces High School Band Program as requested by the Band Director(s).
- B. Promote an appreciation of instrumental (band) music and its associated activities.
- C. To promote and recognize outstanding achievement in music excellence and to support band endeavors, as directed by the Band Director(s).
- D. To support other LCHS musical programs as requested by the Band Directors.

Section 2. The “band program” is defined as all band-related activities and groups under the direction of the Band Director(s) (i.e., Marching Band, Color Guard, Jazz Band, Symphonic Band, etc.)

Section 3. Since its purpose is for band program support, the Association shall not mandate classroom instruction or curriculum, music selection, rehearsal schedules, or the schedule of the Band Director(s) within or outside the classroom. These areas are governed by the policies established by the Las Cruces Public School District Board of Education, as prescribed by the New Mexico Public Education Department.

Article III - Policies

Section 1. The policies of this Association shall be in conjunction with and adhere to the policies of Las Cruces High School and the Las Cruces Public School District.

Section 2. This Association shall not attempt to direct or interfere with the established and documented policies and procedures of the Band Director(s), the school, or the district.

Section 3. This Association shall be non-profit, non-sectarian, and non-partisan.

Section 4. The Association and names of its officers, in their official capacity, shall not be used in the endorsement of any products or commercial endeavors.

Section 5. The Association shall be responsible only for contracts and/or indebtedness that have been entered into by the Board of Directors of the organization.

Section 6. The fiscal year of the Association shall begin on July 1 and end on June 30.

Article IV - Membership

Section 1. Full membership in the LCHS BPA is granted to all parents and legal guardians of members of the Las Cruces High School Band program.

Section 2. Associate membership is open to any other interested individuals who support the purpose of the Association. Associate members, while being able to actively participate in LCHS BPA meetings, band program fundraisers and events, shall not be eligible to hold office, coordinate a committee, or vote.

Section 3. Ex-Officio membership in the Association is granted to the Band Director and any assistant directors in the band program. Additionally, the Band Director shall serve as a permanent, non-voting member of the Board of Directors.

Section 4. There shall be no regular, established dues for membership in the Association. Any fiscal year that Las Cruces Public Schools and/or Las Cruces High School do not sufficiently fund the band program, each student and their parent(s) or legal guardian(s) shall be expected to participate in and contribute to properly and equitably funding a productive band program for that year.

Section 5. All memberships are regardless of race, color, national origin, religion, gender, age, marital status, socio-economic status, sexual orientation, physical characteristics, or disability.

Article V - Organization

Section 1. Officers

- A. The officers of the Association shall be the President, Vice President, Fundraising Chair, Events Chair, Secretary, Treasurer, Concessions Chair, and Parliamentarian. These officers shall be duly elected to the position as described in these Bylaws.
- B. Offices may be held individually or as co-officers by two (2) people.

Section 2. Board of Directors

The Board of Directors shall:

- A. Consist of the Association's officers with the Band Director(s) as an ex-officio member(s).

Section 3. Committees

- A. Committees shall be formed to manage fundraisers and events in support of the Association, and for such purposes as the Board of Directors and membership deem necessary.
- B. Each committee shall have a designated Coordinator(s), approved by the Board of Directors, who shall report to their respective Chair(s) and/or a designated officer of the Board of Directors.

Section 4. Voting Membership

- A. The "voting membership" of the Board of Directors shall consist of President, Vice President, Fundraising Chair, Events Chair, Secretary, Treasurer and Concessions Chair. The Parliamentarian will be a non-voting officer.
- B. Co-officers hold a single vote.
- C. At a general membership meeting the "voting membership" shall consist of members of the Association as defined in Article IV.1 and IV.2 above.

Article VI – Duties of the Officers

Section 1. President

The President of the LCHS BPA shall:

- A. Preside at all meetings of the Board of Directors and general membership of the Organization.

- B. Serve as liaison to the Band Director(s) concerning Organization activities.
- C. Have a working knowledge of all fundraisers, events, and fiscal procedures of the Organization, as outlined in the Procedures Binder.
- D. Organize and update the Procedures Binder as necessary to maintain it as a useful guide for future holders of the office.
- E. Prepare an agenda for each Board of Directors and general membership meeting.
- F. Coordinate and oversee the Officers of the Organization.
- G. In conjunction with the Vice President, monitor the progress of the work of the Chairs of the Organization.
- H. In conjunction with the Treasurer and/or Vice President, monitor the cash flow of the Organization.
- I. Be one of the authorized signatures on all LCHS BPA financial accounts.
- J. Appoint a nominating committee for the purpose of nominating officers for the following year.
- K. Arrange for the general audit.
- L. In collaboration with the Vice-President and/or Secretary, prepare regular notices to inform parents, students, and all interested parties of upcoming events, activities, items of interest, etc. of the LCHS Showcase Bands and/or LCHS BPA. Such notices may be electronic or on paper and shall constitute legal notification to all interested parties.
- M. Perform such other duties as may be prescribed in these by-laws or assigned to him or her by the Organization.

Section 2. Vice-President

The Vice-President of the LCHS BPA shall:

- A. Attend meetings of the Board of Directors and general membership of the Organization.
- B. Assume all duties of the President in the President's absence.
- C. Have a working knowledge of all fundraisers, events, and fiscal procedures of the Organization, as outlined in the Vice President's Binder.
- D. Organize and update the Vice President's Binder as necessary to maintain it as a useful guide for future holders of the office.

- E. Oversee and, in conjunction with the President, monitor the progress of the work of the Chairs of the Organization.
- F. In conjunction with the Treasurer and/or President, monitor the cash flow of the Organization.
- G. Be one of the authorized signatures on all LCHS BPA financial accounts.
- H. In collaboration with the President and/or Secretary, prepare regular notices to inform parents, students, and all interested parties of upcoming events, activities, items of interest, etc. of the LCHS Showcase Bands and/or LCHS BPA.
- I. Perform such duties as are requested by the President.

Section 3. Fundraiser Chair

The Fundraiser Chair of the LCHS BPA shall:

- A. Attend meetings of the Board of Directors and general membership of the Organization.
- B. Serve as liaison between the coordinator(s) of each fundraiser committee and the Board.
- C. Have a working knowledge of procedures associated with the fundraisers of the Organization, as outlined in the Fundraiser Procedures Binder.
- D. Organize and update the Fundraiser Procedures Binder as necessary to maintain it as a useful guide for future holders of the office.
- E. Recruit coordinators for all fundraisers and oversee the progress of all fundraisers, as well as assist in the organization and coordination of fundraisers as requested.
- F. Assist in the contact, organization and coordination of fundraiser volunteers, as requested.
- G. Attend the initial meeting of each fundraiser committee, and subsequent meetings as requested.
- H. Prepare fundraiser announcements and submit them to the Secretary for timely publication in the parent notice and/or in or on local media, including the Las Cruces High School paper when considered appropriate by the Board of Directors.
- I. Assist the Treasurer, Concessions Chair and coordinators of fundraiser committees by organizing fundraiser money collections.
- J. Provide regular reports as each fundraiser progresses, and present final detail reports at the conclusion of each fundraiser, with assistance from the Treasurer,

Concessions Chair and the coordinator(s) of each fundraiser committee as needed.

- K. Upon completion of a fundraiser, review the level of success of the particular fundraiser with its coordinator(s) and make recommendations, including procedural changes if necessary, to the Board.
- L. Explore new fundraiser ideas and present fundraiser proposals to the Board.
- M. Perform such duties as are requested by the President.

Section 4. Events Chair

The Events Chair of the LCHS BPA shall:

- A. Attend meetings of the Board of Directors and general membership of the Organization.
- B. Serve as liaison between the coordinator(s) of each event committee and the Board.
- C. Have a working knowledge of procedures for all events of the Organization, as outlined in the Events Procedures Binder.
- D. Organize and update the Event Procedures Binder as necessary to maintain it as a useful guide for future holders of the office.
- E. Recruit coordinators for all events, and oversee the progress of all events, as well as assist in the organization and coordination of events as requested.
- F. Assist in the contact, organization and coordination of event volunteers, as requested.
- G. Attend the initial meeting of each event committee, and subsequent meetings as requested.
- H. Prepare event announcements and submit them to the Secretary for timely publication in the Parent Notice and/or in or on local media, including the Las Cruces High School paper when considered appropriate by the Board of Directors.
- I. In conjunction with the coordinator(s) of each event committee, provide regular reports as each event progresses. Upon completion of an event, review the level of success of the particular event with its coordinator(s) and make recommendations, including procedural changes if necessary, to the Board.
- J. Perform such duties as are requested by the President.

Section 5. Secretary

The Secretary of the LCHS BPA shall:

- A. Attend meetings of the Board of Directors and general membership of the Organization.
- B. Record minutes of all Board of Directors meetings and general membership meetings and maintain a file for a minimum of seven years.
- C. Have a working knowledge of the past and present procedures associated with the office, as outlined in the Secretary's Binder.
- D. Organize and update the Secretary's Binder as necessary to maintain it as a useful guide for future holders of the office.
- E. Serve as corresponding secretary when requested. This shall include providing correspondence support of committee activities when requested.
- F. In coordination with the Band Director(s), develop a form such as the Family Information Form (FIF), maintain a current database of all band students, with grade level, instrument, shirt size, proper addresses, phone numbers, parent(s) and/or legal guardian(s) full names, email addresses, students' class sections, and parent volunteer information.
- G. In collaboration with the President and/or Vice President, prepare regular electronic parent notices to notify parents, students, and all interested parties of upcoming events, activities, items of interest, etc. of the LCHS Showcase Bands and/or LCHS BPA. Such notices shall constitute legal notification to all interested parties.
- H. Send any electronic communications to the entire general membership, as needed and/or requested. In the event a member does not have access to electronic communication, the Secretary shall prepare a hard copy of the communication and send it home with the student and/or via regular mail.
- I. Submit fundraiser and event announcements, provided by the Chairs, for timely publication in or on local media, including the Las Cruces High School paper when considered appropriate by the Board of Directors.
- J. Provide a copy of the by-laws to the entire general membership yearly.
- K. Perform such duties as are requested by the President.

Section 6. Treasurer

The Treasurer of the LCHS BPA shall:

- A. Attend meetings of the Board of Directors and general membership of the Organization.
- B. Serve in the position of financial officer of the Las Cruces Band Parents Association and, as such, be responsible for the proper custody of the Organization's funds, including:
 - 1. Record all financial transactions of the Organization and preparing a monthly financial report, to include a Profit and Loss statement and a Balance Sheet, for presentation to the Board of Directors; maintaining these financial records for a minimum of seven years.
 - 2. Collect all monies received; deposit in a timely manner all monies and funds received in the name and to the credit of the Las Cruces High School Band Parents Association in the depository(s) approved by the Board of Directors.
 - 3. Disperse funds in a timely manner, as approved by the Board of Directors as outlined in Article X – Funds.
 - 4. Be one of the authorized signatures on all LCHS BPA financial accounts.
 - 5. Present financial records for an annual audit by an accountant.
 - 6. File federal taxes and the annual report required by the New Mexico Corporation Commission, including Form 1096 and Form 1099 as required.
 - 7. Prepare, in conjunction and with the approval of the Band Director, an annual budget for the ensuing year and present it for approval at the annual July Board of Directors meeting. The budget will be based upon requests for funds from the band director(s) and the previous year's expenditures.
 - 8. Maintain possession of any debit card associated with the LCHS BPA checking account. This card may only be used when it is not possible to issue a check, e.g., online purchases. Debit card purchases should only be made by the Treasurer or President, and any purchase should be approved in advance by two of the board officers with check signatory power. This advanced approval must be documented by email or some other written form of communication to provide a permanent record that is kept with the receipt and bank statement. A monthly summary of debit card transactions recorded must be provided by the Treasurer to reconcile to the bank statement.
 - 9. As requested by the Band Director(s), record and provide receipts for Band Fees paid by families, utilizing Las Cruces Public School forms provided by the Las Cruces High School administration, using the collection and recording procedures stipulated in Article VI 6.B.2. All monies and forms shall be given

to the Band Director(s) to deposit to the Las Cruces High School activity fund.

10. Present the budget at the first General membership meeting of the year.

- C. Have a working knowledge of the past and present procedures associated with the office, as outlined in the Treasurer's Binder.
- D. Organize and update the Treasurer's Binder as necessary to maintain it as a useful guide for future holders of the office.
- E. Provide information to the Fundraiser Chair and/or the coordinator(s) of each fundraiser committee, as needed, regarding funds received for each fundraiser.
- F. Assist the Fundraiser Chair, Concessions Chair and coordinators of fundraiser committees by organizing fundraiser money collections.
- G. Coordinate an annual accounting of physical property owned by the LCHS BPA.
- H. Perform such duties as are requested by the President.

Section 7. Concessions Chair

The Concessions Chair of the LCHS BPA shall:

- A. Attend meetings of the Board of Directors and general membership of the Organization.
- B. Have a working knowledge of the past and present procedures associated with the office, as outlined in the Concessions Chair's Binder.
- C. Organize and update the Concessions Chair's Binder as necessary to maintain it as a useful guide for future holders of the office.
- D. Coordinate concession operations and volunteers.
- E. Report concession performance to the Board. Coordinate inventory and purchasing with the Treasurer. Maintain concession procedures.
- F. Perform such duties as are requested by the President.

Section 8. Parliamentarian

The Parliamentarian of the Las Cruces High School Band Parents Association shall:

- A. Attend meetings of the Board of Directors and general membership of the Organization.
- B. Have access to *Robert's Rules of Order Newly Revised* and the bylaws of the Las Cruces Band Parents Association.

- C. Bring to the attention of presiding officer of the meeting deviations from the by-laws or Roberts Rules of Order Newly Revised.
- D. Be available to answer questions about the bylaws or Roberts Rules of Order Newly Revised.

Article VII - Terms of Office

Section 1. The officers shall serve a one-year term from the close of the fiscal year, with the exception of the Treasurer, who shall serve until such time as all required annual reports and tax documents are filed.

Section 2. Removal of Officers of the Board:

- A. Any Officer(s) of the Board may be removed with or without cause by a vote of two-thirds of the Association's voting membership in attendance at the regular or special meeting called specifically for said purpose. In a meeting held to consider the removal of the President, the Vice-President will preside over the meeting.
- B. Any Officer(s) of the Board being considered for removal shall be given an opportunity to respond to any concerns or allegations at either a regular meeting or a special meeting called for that purpose.
- C. If any Officer of the Board is removed, a successor from the general membership may then and there be elected to fill the vacancy.

Section 3. Resignation of Officers of the Board:

- A. Any Officer(s) of the Board wishing to resign shall do so by indicating in writing to the Board his/her intent to resign. Said resignation shall be effective on the date indicated on the correspondence.
- B. The letter of resignation of any Officer(s) of the Board shall be read into the minutes of the Board of Directors' meeting immediately following receipt of said letter.
- C. If any Officer of the Board resigns, his/her Officer's duties shall be temporarily assumed by an existing Officer of the Board, as approved by a majority vote of the Board, until the general membership elects a successor. In the event an Officer resigns, another Officer of the Board may resign their current Office in order to be nominated and elected to fill the original vacancy by a vote of two-thirds of the Association's voting membership in attendance at the regular or special meeting called specifically for said purpose.

Section 4. No Board member shall have the authority to represent the LCHS BPA to any outside entity for the purpose of third-party intervention, without prior discussion and approval of the entire Board of Directors.

Article VIII - Election of Officers

Section 1. A nominating committee consisting of one member of the Board of Directors, a minimum of three Association members, and the Band Director shall be selected and announced during the spring semester on a date to be determined by the Board. It is desirable that the names of two (2) Association members who are willing to serve for each office be presented to the general membership prior to the last general meeting held for the year. Additional nominations may be made at the last general membership meeting, providing the nominee(s) are present and willing to serve.

Section 2. The election will be held at the last general membership meeting. All candidates for office will be invited to make brief statements outlining their qualifications and interest in the position. If more than one name is placed in nomination for an office, the election will be conducted by secret ballot, and tallied by three election tellers appointed by the President(s), who are not currently members of the Board and/or who are not on the ballot. The elected officers will be determined by a simple majority of the members present. In the case of a tie, there will be a second vote following the same procedures as the first. If the second vote results in a tie, a coin flip will determine the winner of the election.

Section 3. The elected officers will assume the duties of their respective office July 1st and their term shall expire June 30th of the following year. Newly elected officers are encouraged to attend any Board meetings that occur prior to their assumption of office.

Section 4. Any Association member is eligible to be elected to any office. It is preferable but not required that the President(s) shall have served as the Vice President(s) the prior year.

Article IX - Association Rules and Requirements

Section 1. All proceeds shall be for the benefit of the Las Cruces High School Band program and no individual member of the Association shall personally benefit from the actions of the LCHS BPA.

Section 2. The Association will meet as necessary to conduct business.

- A. The general membership shall meet a minimum of three times a year to conduct business; once at the beginning of the school year, once during the middle of the school year, and once at the end of the school year for the nominee presentation and general election meeting.
- B. The last scheduled meeting of the year shall be for the purpose of electing Officers. The Board of Directors shall ensure that prior notification has been

issued of this meeting to the general membership.

- C. Special meetings may be called by the Board of Directors, President, Band Director(s), or at the request of ten or more Association members.
- D. Notification of all meetings shall be given to all Association members by electronic and/or written notice at least five (5) days prior to the meeting, with the exception of special meetings which may require less time for the notification.
- E. One more member than half of the elected officers shall constitute a quorum for Board of Directors meetings. If any meeting cannot start due to lack of a quorum, the members present may adjourn the meeting until a quorum is present.

Section 3. Robert's Rules of Order Newly Revised shall serve as the parliamentary authority for the organization.

Section 4. The Board of Directors, in conjunction with the Band Director(s), shall have final approval for all projects being considered before they are presented to the general membership of the Association.

Section 5. Any Association member requesting discussion on an item may have it placed on the agenda prior to the meeting by contacting the President. A student representative may present student concerns at the beginning of the meeting.

Section 6. The Board of Directors shall meet each month, unless otherwise noted. Any requests for funds, other than approved budget items, shall be presented to the Board of Directors at the ensuing monthly meeting. Emergency funds requests require a Special Meeting of the Board, as defined in Article X.5.

Article X - Funds

Section 1. All monies obtained from any source, by or through any person or persons, acting for or in the name of the LCHS BPA or under its direction or authority, shall be considered LCHS BPA funds. These funds shall be collected by the Treasurer, who will provide an official receipt and report at each meeting the amounts so received and from what source.

Section 2. The Treasurer shall deposit all monies received to the credit of the LCHS BPA in such depositories as shall be determined by the Board of Directors. Disbursements shall be made by check or by debit card. The debit card may only be used when a check is not an accepted form of payment. Checks shall be signed by the President and countersigned by the Treasurer. Checks may be signed by the Vice-President in the absence of the President or Treasurer. A report of transactions shall be presented at each board meeting for review. The depository institution shall be provided with a copy of this section. If more than one member of a family serve together on the Board, then both may have the authority to validate or sign any financial accounts or documents, but only one may sign any such document at a given time.

Section 3. No money in excess of \$100.00 shall be paid or transferred from the treasury of the LCHS BPA, except such monies as the Association is called upon to pay for its expenses as described in the budget prepared by the Board of Directors, unless approved by the voting membership of the Board of Directors.

Section 4. Coordinator(s) of fundraisers and/or events shall be reimbursed for approved out-of-pocket expenses documented with receipts. In an emergency, if a telephone or electronic mail quorum of the voting membership of the Board of Directors is reached and expenditure is approved, the Treasurer may make the payment. The President must provide a written record of the vote at the next regular meeting of the Board. This written record must be approved by the Board and entered into permanent record. Contents must include the names of the Board members who participated and the results and actions taken by the Board.

Article XI - Loans, Bonds, and Indemnification

Section 1. No loans shall be contracted on behalf of the Association and no evidence of the indebtedness shall be issued in its name unless authorized by a resolution of the Board of Directors and approved by a majority of the Association membership present at the meeting where the resolution is presented.

Section 2. The Board of Directors may require all individuals having access to the Association's assets and/or accounting records to be covered by a fiduciary bond. The bond will be paid by the Association upon approval of the Board of Directors.

Section 3. Directors and other authorized employees and agents of the LCHS BPA shall be indemnified against claims arising in connection with their positions or activities on behalf of the LCHS BPA to the full extent permitted by law.

Article XII - Amending the Bylaws

Section 1. Amendments to Bylaws must first be approved by a two-thirds majority vote of the Board. They will then be put to a vote by the membership of the LCHS BPA at a general membership meeting or special meeting called specifically for that purpose with a minimum of 5 days advanced notice. Amendments must be approved by a simple majority of those present at the meeting.

Section 2. These articles shall be reviewed by a committee of two (2) members of the Board of Directors and three (3) members of the LCHS BPA who are not officers at least every three years. The proposed revisions will follow Article XII Section 1 for the approval of the proposed amended bylaws.

Article XIII - Dissolution

Section 1. When, due to lack of participation and/or mutual cooperation, the Association can no longer function as an organization, the Board of Directors shall formally declare that the Association no longer exists, as approved by a vote of two-thirds of the Association's voting membership in attendance at the regular or special meeting called specifically for the purpose of dissolution. Should the Association dissolve all remaining monies shall be donated to the Las Cruces Public School District to be used for the Las Cruces High School Band Program.

Section 2. Suitable notices shall be given to the Internal Revenue Service and others as may be required by the New Mexico Non-Profit Corporation Act.

Article XIV - Compliance

Section 1. These Bylaws are amended to comply with the New Mexico Nonprofit Corporation Act by a majority of the Board of Directors and general membership approving at a meeting of the Las Cruces High School Band Parents Association on 02 June, 2026.