

# **Constitution of the Charleston Community Band**

## **May 16, 2006**

**Article I:** This Constitution is for the Charleston Community Band (CCB). It is a South Carolina nonprofit organization with 501(c)(3) tax-exempt status.

### **Article II: Objectives**

Section 1. The objectives of the Charleston Community Band shall be:

- a. To prepare and perform pieces from the full spectrum of musical literature.
- b. To provide adults with an opportunity to expand their musical skills within the context of various musical ensembles. The large concert band shall remain its primary focus. The term "Band" shall refer to the primary concert band operated by the CCB.
- c. To provide entertainment and education to the community.

Section 2. Statement of Exempt Purpose. The CCB is organized exclusively for charitable and educational purposes in conformance with section 501(c)(3) of the Internal Revenue Code. No proceeds of the corporation will enrich any Member, except that reasonable compensation may be paid for services by Members to the corporation in instances where such services cannot be obtained free or at less cost.

Section 3. No officer or other Member of the CCB shall be held personally responsible for liabilities incurred by the CCB.

Section 4. In the event of the dissolution of the CCB, the Board will give any remaining funds to a nonprofit organization with goals similar to the CCB.

### **Article III: Membership**

Section 1. Types of Members

- a. Regular Members
  1. Only adults or high school graduates are eligible to be Regular Members.
  2. Regular Members must have prior instrumental experience and must regularly play in the Band.
  3. A person shall become a Regular Member after attending four consecutive Band rehearsals.
  4. Only Regular Members can participate in business meetings, hold office, and vote in elections.
- b. Student Members
  1. Student Members shall be admitted on a limited basis as set forth in Article VII: Student Mentorship Program.
- c. Inactive Members
  1. A Regular Member who ceases to participate in the CCB or who is on leave of absence as discussed with the Conductor and/or Section Leader shall be deemed an Inactive Member.

2. Inactive Members will remain on the roster until it is clear that they will not become Active Members again (e.g. move out of state), at which time they are removed from the roster.

### Section 2. Responsibilities of Members

- a. Active Members are required to attend the majority of rehearsals and the final rehearsal prior to a performance. Members who do not meet these requirements may be barred from the performance. Exceptions may be made by the Section Leader with the concurrence of the Conductor.
- b. All Members are expected to practice as necessary to learn assigned parts.
- c. Active Members are expected to participate in tasks such as setup and moving equipment. When necessary, the Board and/or President may request that Active Members perform these tasks.
- d. All Members should conduct themselves appropriately at rehearsals and performances.

### Section 3. Misconduct

- a. Cases of misconduct by Members shall be reviewed by a three-person committee consisting of a Member-at-Large, who will chair the committee, and two non-Board Members who shall be appointed by the President. The committee shall make recommendations of appropriate action to the Board. The Member in question shall be given the opportunity to appear before the Board before action is taken. Suspension of the Member requires a two-thirds vote of the Board, and the period of suspension shall be set at the discretion of the Board.
- b. In cases of severe misconduct (e.g. extremely disruptive or violent behavior) an emergency Board meeting may be called. The Board may take immediate action as appropriate, including asking the Member to leave rehearsal until further notice.

## **Article IV: Board**

Section 1. The CCB shall be governed by an elected Board consisting of the President, Vice President, Secretary, Treasurer, two Members-at-large, Publicity Director, Equipment Manager, Immediate Past President, and in a non-voting capacity, the Conductor.

### Section 2. Conduct of the Board.

- a. The President shall be responsible for calling Board meetings.
- b. Board meetings shall be open to the public.
- c. A simple majority vote of the Board is required for decision making unless otherwise specified.
- d. The Board may not enter into a loan contract or issue any evidence of indebtedness on behalf of the CCB.
- e. Only the Board of the CCB may incur or give approval to expenses on behalf of the CCB. Expenses may be approved as part of a budget, or individually by a simple majority vote of the board.

- f. The Board may not budget funds in excess of reasonably anticipated income without a vote of two thirds of the Active Membership. In the event that expenses exceed planned income, the CCB members must be informed as soon as practical and a new budget created that is within currently anticipated income.

### Section 3. Duties of the Board

- a. Manage administration and business of the Band.
- b. Appoint and dismiss Conductor.
- c. Set and enforce policy and procedure as defined by the Constitution.
- d. Set performance dates.
- e. Establish and appoint musical and administrative staff positions as necessary.

### Section 4. Duties of individual Board Members.

- a. The **President** shall preside at all meetings and ensure compliance with the Constitution. He/she will decide all questions of order, sign all official documents, appoint committees as necessary, and perform all customary duties pertaining to the office of President.
- b. The **Vice President** shall assume all duties of the presidency in the absence of the President and assist the President in the performance of duties. In addition, the Vice President shall be responsible for recruitment of Members.
- c. The **Secretary** shall keep a record of the proceedings of all meetings. He/she will keep the Membership roster current and perform all other duties as necessary.
- d. The **Treasurer** shall receive and receipt all monies paid to the organization. He/she will keep an accurate account of all monies received and spent, and will pay bills with proper authorization.
- e. The **Publicity Director** shall be responsible for promoting and publicizing the Band and all its activities.
- f. The **Librarian** shall be responsible for distributing and collecting music and folders at rehearsals and performances. He/she will manage the music library.
- g. The **Equipment Manager** shall be responsible for ensuring that equipment is transported to and from the activity location. Active Members will assist in carrying out these functions. He/she will maintain an inventory of equipment.
- h. The **Members-at-large** (2) will serve as representatives of the general membership.
- i. All Board Members shall make reports as designated by the President. They may be assigned or volunteer for necessary tasks other than those specified above. At the end of the term, all Board Members shall turn over their records to their successor.

### Section 5. Elections

- a. The Board shall be elected for a term of one year by vote of the Regular Members present on election night. There will be no term limits.
- b. The Board will announce the upcoming election to the Band at rehearsal in the third week of September. Nominations will be made during rehearsal in the third week of October.
- c. Nominees shall have a reasonable opportunity to address the CCB Members before the election.
- d. Elections will take place by secret ballot at rehearsal during the first week of November. The candidate with the majority of votes is elected.

- e. The new Board will take office January 1 of the year immediately following its election. The new Board may meet prior to that date for planning purposes.

**Section 6.** Board vacancies

- a. An announcement for a special election will be made at the first Regular Band rehearsal following the resignation of the current Board Member. At that time nominations will be made for a replacement Board Member.
- b. Candidates will be given a reasonable opportunity to address the Band.
- c. Special election will be held at the first regular Band rehearsal following nominations.
- d. The election will be held by secret ballot and the candidate with the majority votes is elected.

**Section 7.** Removal of Board Members

- a. Board Members may be removed from office on a three-fourths vote of Regular Members present at rehearsal.
- b. The Board vacancy will be filled as defined in Article IV, Section 6.

## **Article V: Conductor**

**Section 1.** The Conductor shall be responsible for all musical decisions,

**Section 2.** The Board shall have the authority to appoint and dismiss the Conductor.

## **Article VI: Section Leaders**

**Section 1.** The Conductor will appoint Section Leaders.

**Section 2.** Duties of Section Leaders include assigning seating, leading sectional rehearsals, contacting Members of the section by phone or email if necessary, and making musical decisions including solos and part assignments.

## **Article VII: Student Mentorship Program**

**Section 1.** To become a Student Member the applicant must fulfill the following qualifications:

- a. Be a junior or senior in high school
- b. Provide a letter of recommendation from his/her high school band director or from a private instrumental instructor prior to being considered for audition.
- c. Deliver a liability release form signed by a parent or legal guardian prior to the audition. No audition shall be given without a signed liability release.
- d. Audition before CCB Conductor and Section Leader.

**Section 2.** The Board shall be authorized to create a scholarship program for student Members.

## **Article VIII: Amendments**

**Section 1.** This Constitution may be amended by a two-thirds vote of the Regular Membership present and voting. Proposals for amendments shall be submitted in writing to the Board. Upon Board approval, the amendment will be submitted to the Membership at the next Regular rehearsal.