

DOWELL MIDDLE SCHOOL BAND PARENT ORGANIZATION

CONSTITUTION

This instrument is hereby adopted as the Constitution of the Dowell Middle School Band Parent Organization of McKinney, Texas (the "Organization"), effective the date set forth below.

I. ARTICLE I – Name

This Organization shall be known as the Dowell Middle School Band Parent Organization (the "Organization").

II. ARTICLE II – Purpose

The purpose of the Organization is embodied in the following statement of objectives:

- A. To support and encourage school personnel and students participating in the band program of Dowell Middle School (the "Dowell Band Program").
- B. To promote and create a greater interest in music for the participants in the Dowell Band Program, their families, and the community in general.
- C. To promote public interest in and parental support of the Dowell Band Program and its activities.
- D. To lend support to other McKinney Band Parent Organizations.

III. ARTICLE III – Membership

The membership shall be composed of the parents and guardians of each participant in the Dowell Band Program. The Rules contained in Robert's Rules of Order (latest revision) shall apply in the conduct of the Organization's business except where this Constitution, the Bylaws, or a duly adopted Resolution shall provide otherwise.

IV. ARTICLE IV – Officers

Officers shall consist of a president, vice president, secretary, treasurer, and reporter. The general business of the Organization shall be administered by an Executive Committee to be composed as provided in the bylaws.

V. ARTICLE V – Operational Limitations

The operation of the Organization shall be subject to the following limitations:

- A. No part of the net earnings of the Organization shall inure to the benefit of its Members, Officers, or other private persons except to pay reasonable compensation for services in furtherance of the purposes of the Organization.
- B. No Director or Officer of the Organization, or any private individual, shall be entitled to share in the distribution of any of the corporate assets on dissolution of the Organization.
- C. No part of the activities of the Organization shall involve influencing legislation participating in any political campaign on behalf of any candidate for public office, or the carrying on of propaganda, or other attempts to influence legislation, except as is otherwise provided under Section 501(h) of the Internal Revenue Code (the “Code”).
- D. Monies from fundraising activities of the Organization shall be limited in use to projects not normally funded by the McKinney Independent School District and shall be used only for the purposes of the Organization.
- E. All activities of the Organization shall be compatible with the policies and program objectives established by the appropriate official and employees of the McKinney Independent School District.
- F. The Organization shall distribute its income for each taxable year at such time and in such manner as not become subject to tax on undistributed income imposed by Section 4942 of the Code.
- G. The Organization shall not engage in any act of self-dealing as defined in Section 4941(d) of the Code
- H. The Organization shall not retains any excess business holdings as defined in Section 4943© of the Code.
- I. The Organization shall not make any investments in such manner as to subject itself to tax under Section 4944 of the Code.
- J. The Organization shall not make any taxable expenditures as defined in Section 4945(d) of the Code.
- K. The Organization shall not conduct or carry on activities not permitted for an organization exempt from taxation under Section 501(c)(3) of the Code.

VI. ARTICLE VI – Dissolution

On dissolution of the Organization, the officers shall make provision for payment of the liabilities of the Organization and for the disposal of all assets of the Organization as follows:

- A. The assets of the Organization shall be distributed exclusively to charitable, religious, or educational organizations, which would then qualify under the provisions of 501(c)(3) of the Internal Revenue Code and its regulations as they now exist or as they may hereafter be amended.
- B. Should any assets not be disposed of by the Officers of the Organization, the state court of appropriate jurisdiction shall provide for the disposition of such assets to a qualifying organization or organizations.

VII. ARTICLE VII – Amendment

This Constitution may be amended only upon presenting the Amendment as follows:

- A. Proposed amendments to the Constitution may be presented to the Executive Committee by any member of the Organization.
- B. Proposed amendments approved by a two-thirds (2/3)-majority at a meeting of the Executive Committee shall be presented to the Membership at the next General meeting of the Organization.
- C. A member whose proposed amendment has been duly rejected by the Executive Committee may still present the proposed amendment to the Membership as new business at the next General meeting of the Organization, upon satisfying the following conditions:
 - 1. The member must first obtain the sponsorship of three (3) additional members for the proposed amendment, which may be evidenced by petition in support of the proposed amendment.
 - 2. The member must give notice to the President at least seven (7) days prior to the next General meeting of the member's intent to present the proposed amendment as new business at that meeting, to allow the presiding Officer an opportunity to add the item to the agenda.
 - 3. The proponent of the amendment shall provide written copies of the proposed amendment for all members present at the General meeting.
- D. The proposed amendment will be presented to the Membership at the next General meeting.
- E. The proposed amendment shall be voted on at the next General meeting after having been presented to the Membership. The proposed amendment would become effective if approved by two-thirds (2/3)-majority vote of those present and voting at the General meeting.

Adopted by General Meeting of the Organization on December 11, 2008.

Evelyn Piechocki, President

Donna Loughmiller, Secretary