

Smithfield High School Music Booster Club CONSTITUTION

Article I. NAME

Sec. 1 The name of this organization shall be Smithfield High School Music Booster Club.

Article II. PURPOSE

Sec. I. The purpose of this organization is to arouse and maintain an enthusiastic interest in the music department's activities at Smithfield High School.

Sec II. The organization shall cooperate with those in charge of the music department to build and maintain an organization that will help to promote the department's activities.

ARTICLE III. MEMBERSHIP

Sec. I. The membership of this organization shall not be limited. Any person interested in the progress and development of music students is eligible for membership.

ARTICLE IV. Officers

Sec. I. The elected officers of this organization shall be President, Vice-President of Band, Vice-President of Choral Ensembles, Secretary, and Treasurer. In the event that no one person is willing to assume the role of President, Co-Presidents may be elected.

Sec. II. The Band and/or Choral Directors shall be considered officer(s) serving in advisory capacities.

Sec. III. The Publicity Director, other key personnel, and/or any standing committees shall be appointed by the Executive Board on a yearly basis or as needed.

Sec. IV. SHS Music Booster officers will be responsible for training their respective successors in/after their final year of service.

ARTICLE V. CLAUSES

SHS Music Booster Constitution - adopted 5/5/2016

- Sec. I. Notwithstanding any other provisions of these articles, the organization is organized exclusively for one or more of the purposes as specified in Section 501 (c) (3) of the Internal Revenue Code of 1986, or the most recent version, and shall not carry on any activities not permitted to be carried on by an organization exempt from Federal Income Tax under IRC 501 (c) (3) or corresponding provisions of any subsequent tax laws.
- Sec. II. No part of the net earnings of the organization shall inure to the benefit of any member, trustee, director, officer of the organization, or any private individual (except that reasonable compensation may be paid for services rendered to or for the organization), and no member, trustee, officer of the organization or any private individual shall be entitled to share in the distribution of any of the organization's assets on dissolution of the organization.
- Sec. III. No substantial part of the activities of the organization shall be carrying on propaganda, or otherwise attempting to influence legislation (except as otherwise provided by IRC 501(h) or participating in, or intervening in (including publication or distribution of statements)), any political campaign on behalf of or in opposition to any candidates for public office.
- Sec. IV. In the event of dissolution, all of the remaining assets and property of the organization shall, after payment of necessary expenses thereof, be distributed to such organizations as shall qualify under Section 501(c)(3) of the Internal Revenue Code of 1986, or the most recent version, or corresponding provisions of any subsequent Federal Tax Laws, or to the Federal Government or State or Local Government for a public purpose, subject to the approval of a Justice of the Supreme Court of the State of Rhode Island.
- Sec. V. In any taxable year in which the organization is a private foundation as described in IRC 509 (a), the organization shall distribute its income for said period at such a time and manner as not to subject it to tax under IRC 4942, and the organization shall not:
- (a) engage in any act of self-dealing as defined in

- IRC 4941 (d)
- (b) retain any excess business holdings as defined in IRC 4943 (c)
 - (c) make any investments in such a manner as to subject the organization to tax under IRC 4944, or
 - (d) make any taxable expenditures as defined in IRC 4945 (d) or corresponding provisions of any subsequent Federal Tax Laws.

(Article V. cannot be amended)