

**Constitution and By-Laws**  
**of the**  
**DURHAM COMMUNITY CONCERT BAND**  
**Approved November 29, 1984**  
**Revised November 14, 2011**

**Article I. Name and Purpose**

Section A – This organization shall be known as the Durham Community Concert Band and shall be incorporated as a non-profit organization in the State of North Carolina.

Section B - Its purpose shall be:

1. To contribute positively to the musical environment of Durham NC and the surrounding communities.
2. To provide an opportunity for individual musical expression and growth among the membership.
3. To provide an opportunity for contact between and among musicians.
4. To reaffirm the positive contribution of the community concert band to American music.

**Article II. Membership**

Section A - Qualifications for Membership

1. Any person interested in the purposes of the Durham Community Concert Band may become a member by regularly attending rehearsals.
2. Auditions are not required.

Section B - Duties of Members

Members shall regularly attend rehearsals, play in scheduled concerts, and assist in such setup and teardown activities as may be necessary to facilitate concerts and rehearsals.

**Article III. Board of Directors**

Section A - Executive Authority

A Board of Directors shall be elected by members of the band. Executive authority for affairs of the band is vested in the Board and its chair. Makeup of the Board is shown in the section following. Each position on the board shall have one vote. The Chair shall preside over the Board of Directors. Executive duties of the board shall include:

1. Management of the general affairs of the band, taking action which is compatible with the best interests of the band.
2. Management of the financial affairs of the band, including such fund-raising activities as may be agreed upon by the board and the band.
3. The appointment of and dismissal of the conductor and assistant conductor. (There shall be an annual review of these appointments).
4. The replacement of members of the Board of Directors who are unable to complete their terms of office.
5. The establishment of a schedule of rehearsals and concerts.

#### Section B - Members of the Board

1. Eleven elected positions that must be filled by members of the band, including:
  - a. Chair
  - b. Secretary
  - c. Treasurer
  - d. Personnel Manager
  - e. Publicity Coordinator
  - f. Website manager
  - g. Librarian
  - h. Property Manager
  - i. Arts Council Liaison<sup>1</sup>
  - j. Two Members-at-Large
2. Two appointed members of the board
  - a. Conductor
  - b. Assistant Conductor

#### Section C - Election of Chair and Board Members

1. On or before April 1 of each year, the chair shall appoint a nominating committee of five band members, only one of whom shall be a board member, for the purpose of identifying a slate of candidates. Positions to be elected in odd-numbered years shall be:
  - a. Chair
  - b. Publicity Coordinator
  - c. Property Manager
  - d. Secretary
  - e. One Member-at-Large

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<sup>1</sup> Changed from "Fund Raising Coordinator" by amendment on June 16, 1994

Positions to be elected in even-numbered years shall be:

- f. Personnel Manager
  - g. Librarian
  - h. Arts Council Liaison
  - i. Treasurer
  - j. Website manager
  - k. One Member-at-Large
2. The chair and each member of the board shall serve a term of two years, beginning on June 1, following their election to office. The Chair may not serve more than two successive two-year terms; other board members may be re-elected every two years.
  3. The nominating committee shall present a report to the band at the first rehearsal in May listing at least one candidate for each board position to be elected in that year. Nominations from the floor shall also be taken.
  4. A separate vote shall be taken for each position. It shall require a two-thirds majority vote of all members present and voting to sustain the recommendations of the nominating committee for each uncontested position, or a simple majority for contested positions. Lacking the required majority, the nominating committee shall be instructed by the Chair of the Board to submit a revised report(s) at the next scheduled rehearsal.

#### **Article IV. Meetings**

Section A - Meetings of the Board of Directors shall be open to all band members and shall be conducted in accordance with Robert's Rules of Order. A quorum shall be defined as one more than half of the voting members.

Section B - The Board of Directors shall meet a minimum of once a month on a regular schedule to be set by the board. Additional meetings of the Board of Directors and meetings of the full membership may be called at the discretion of the Chair or at the request of any board member.

#### **Article V. Amendments**

Section A - Previous notice of a proposed amendment to this constitution, along with a copy of the proposed amendment, must be presented at a duly constituted meeting of the band membership at least 30 days or three full rehearsals prior to voting.

Section B - A three-fourths vote of those present and voting shall be necessary for the adoption of an amendment.

## **By-Laws**

### Section A - Membership

#### 1. Attendance

- a. The concert season shall be defined as extending from September 1 thru August 31.
- b. Rehearsals – Members are expected to attend all approved rehearsals. In the event of insufficient attendance by a section member, the section head and the director shall determine whether that member is prepared to participate in a performance.
- c. Dress Rehearsals and Concerts – Members are expected to participate in all dress rehearsals and concerts. Anticipated absences should be reported to the appropriate section leader and to the conductor.
- d. Concert dress shall be determined by the board and adhered to by the entire membership.

#### 2. Seating

- a. All seating arrangements shall be determined by the conductor or section head should the need arise.

### Section B - Board of Directors

Duties and responsibilities of various members of the board:

- a. Chair
- b. Secretary
- c. Treasurer
- d. Personnel Manager
- e. Publicity Coordinator
- f. Website manager
- g. Librarian
- h. Property Manager
- i. Arts Council Liaison<sup>2</sup>
- j. Two Members-at-Large

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<sup>2</sup> Changed from “Fund Raising Coordinator” by amendment on June 16, 1994

#### Chair of Board

1. Facilitate Board meetings
2. Coordinate and facilitate communication among board members.
3. Represent the Band at certain functions.
4. Make Board related announcements at band rehearsals.
5. Maintain and distribute concert schedules.
6. Retain signing authority for Band bank account.
7. The Chair of the Board shall oversee with the Conductor the preparation of the detailed list of concert dates, rehearsal schedule, themes, guest conductors, soloists and band operating plan for the year.

#### Secretary

1. Maintain archive of minutes of board meetings, other official communication of the Band, and the Constitution and By-Laws.
2. Take notes and prepare minutes of Board meetings.
3. Handle selected correspondence related to Board business.

#### Treasurer

1. Keep safe the funds and accounts of the Band.
2. Record and report financial status to Board and Band members.
3. Pay Band bills as required.
4. Maintain an inventory of band attire (e.g. shirts and jackets).
5. Collect money for purchase of Band shirts, jackets, and other attire as may be authorized by the Board of Directors.
6. Send notes of appreciation to donors.
7. Retain signing authority for Band bank account.
8. Retain custody of the Post Office Box key
9. Insure that the 501 C(3) tax status of the organization is maintained.

#### Personnel Manager

1. Maintain and protect the membership list including pertinent locator information such as telephone numbers, e-mail and postal addresses, unless requested otherwise by a band member.
2. Prepare and distribute copies of membership list to band members.
3. Greet new members and collect contact information from them.
4. Forward to band members such information as may be required for conduct of band business.

#### Publicity Coordinator

1. Arrange for event publicity through local media outlets.
2. Prepare concert programs for distribution.

3. Maintain mailing list of donors and friends of the Band.
4. Prepare mailing labels for mailings to members and friends of the band as may be required.
5. Prepare bulk mailings.
6. Design and produce advertising materials for distribution to the general public.

#### Website manager

1. Maintain the Band website.
2. Update website as needed with information including event schedules, minutes of Board meetings, and any other information about the Band that may be of interest to the community.

#### Librarian

1. Store, catalog and protect the music library of the Band.
2. Assist with the selection and distribution of music.
3. Coordinate music borrowed from and loaned to other bands.
4. Transport or arrange for transport of music and music folders to concert sites.
5. Organize the collection and sorting of music at the end of the season.

#### Property Manager

1. Organize and coordinate the moving of band equipment needed at concerts and events.
2. Maintain and store the DCCB banner.
3. Arrange for display of the DCCB banner at band events.

#### Arts Council Liaison

1. Represent the Band to the Durham Arts Council.
2. Prepare and submit yearly DAC Grant Application and Report.
3. Represent the Band at certain functions.

#### Member at Large (two positions elected in alternate years):

1. Perform tasks as required, such as
  - i. Prepare and distribute maps and instructions for band events.
  - ii. Report results of attendance counts to President and Arts Council Liaison.
2. Special Projects as assigned by the Board

#### Section C - The Conductor

##### 1. General Responsibilities

The conductor of the Durham Community Concert Band shall be responsible for the setting, overseeing and maintaining of the artistic standards of the band.

## 2. Specific Areas of Responsibility

### a. Scheduling

The conductor shall oversee with the Chair the preparation of the detailed list of concert dates, rehearsal schedule, themes, guest conductors, soloists and band operating plan for the year.

### b. Programming

The conductor shall determine program selections and notify the librarian. He shall determine their order for concerts and shall present each program to the band as early as possible before a performance.

### c. Rehearsals

The conductor shall determine the need for additional time, sectionals, dress rehearsals and the selections to be rehearsed.

### d. Seating

The conductor shall appoint section leaders and shall determine the seating arrangement for all sections or delegate this to appointed section leaders as appropriate. .

### e. Board Membership

The conductor shall hold a position on the Board of Directors with voting rights.

## 3. Replacing the Conductor

In the event of a vacancy in the position of Director/Conductor, the Board of Directors shall appoint a Search Committee of five members drawn from the band. No more than two members of the Board of Directors may serve on the search committee. The committee shall be chaired by a member of the Board of Directors. The committee shall be responsible for developing a description of the qualifications necessary to the position; preparing and executing a plan to advertise the vacant position; identifying and interviewing candidates; and presenting one or more candidates to the band for interview and for trial as a guest conductor. Selection of a candidate to fill the vacant director position shall be by vote of the entire band, with the vote of 60% of those present required for approval. The Board of Directors shall determine when the vote will be held.

## Section D - The Assistant Conductor

1. The Assistant Conductor shall be appointed by the conductor.

### 2. General Responsibilities:

The Assistant Conductor shall be a playing member of the band, and shall assume the responsibilities of the conductor in the event of the conductor's absence.

### Section E – Scholarship Fund<sup>3</sup>

1. Under the terms of this bylaw, the Durham Community Concert Band (DCCB) establishes a Scholarship Fund to be administered by a Scholarship Committee. The Scholarship Fund shall provide one or more scholarships to send area high school students to a band camp.
2. The Scholarship Committee shall: determine the criteria for awarding such scholarships; solicit and evaluate applications for the scholarships; identify students to receive scholarship aid; and solicit and manage funds to support the scholarships.
3. Scholarships shall be awarded without regard to race, religion, sex or sexual orientation based on merit and fulfillment of the requirements determined by the Scholarship Committee.
4. The Scholarship Committee shall consist of five or more active members of the Band. One, and no more than three, members of the committee shall be a member of the Board of Directors of the Band. One shall be designated as liaison between the committee and the Board of Directors. The Treasurer shall serve as an *ex officio* member of the committee, as shall the Conductor. The Committee shall identify its Chair. The Scholarship Committee shall convene periodically in the course of meeting its responsibilities.
5. In the event of dissolution of the Scholarship Fund program, the funds remaining shall revert to the general account of the DCCB.

### Section F - Liability Insurance:

The Board of Directors will maintain an appropriate level of liability insurance. The Board will identify a company from which to purchase such insurance. The Board will authorize the Treasurer, on behalf of the Board, to enter into an agreement with the authorized company.

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<sup>3</sup>

This section added by amendment in June, 2007.