

Spring Trail Elementary P.T.O. By-Laws

(Adapted November 1, 2008)

Article I – Name

The name of the organization shall be the Spring Trail Elementary PTO, Inc.

Article II – Purpose

The purposes for which this Organization is organized are to operate exclusively for charitable and educational purposes within the meaning of Section 501(c)(3) of the Internal Revenue Code of 1986, as amended (the “Code”) including the following:

- a.) promote communication between parents, teachers and community;
- b.) encourage a positive, supportive atmosphere to enhance students’ educational and extracurricular experiences;
- c.) coordinate parent volunteers;
- d.) organize fundraisers;

Article III – Basic Policies

Section 1. This Organization is organized and shall be operated exclusively for the educational and charitable purposes described above and no part of the net earnings of the Organization shall inure to the benefit of, or be distributable to, its members, directors, officers or other private persons, except that the Organization shall be authorized and empowered to pay reasonable compensation for services rendered and make payments and distributions in furtherance of the purposes listed above.

Section 2. The name of this organization shall not be used for any reason not appropriately related to promoting the purpose of this organization.

Section 3. This Organization shall not carry on any propaganda, or otherwise attempt, to influence legislation and shall not participate in, or intervene in (including the publishing or distribution of statements), any political campaign on behalf of any candidate for public office. This Organization shall be non-commercial, non-sectarian and non-partisan.

Section 4. This organization shall refrain from being involved in the administration of the school; however, parents, guardians and teachers should be encouraged to share ideas concerning school policies.

Section 5. The Organization shall not carry on any other activities not permitted to be carried on (i) by a corporation exempt from federal income tax under the Section 501 (c)(3) of the Code, or the corresponding provision of any future United States internal revenue statute or (ii) by a corporation, contributions to which are deductible under Section 170 (c)(2) of the Code or the corresponding provision of any future United States internal revenue statute.

Section 6. The District is not, and will not be responsible for the organization’s business or the conduct of its members.

Section 7. The organization will protect its members by maintaining liability and bond insurance.

Section 8. The fiscal year shall be August 1st to July 31st.

Article IV - Members

Section 1. Any parent or guardian of a student at the school may be a member and shall have voting rights. The principal and any teacher employed at the school may be a member and have voting rights.

Section 2. Dues will not be collected.

Section 3. In the event of dissolution of this organization, the net assets of the organization shall be given to Spring Trail Elementary School for use within the school.

Section 4. All members may vote on all issues.

Article V – Officers and Elections

Section 1. Officers. The officers shall be a president, 1st vice president, 2nd vice president, secretary, and treasurer.

a. President. The president shall preside over meetings of the organization and executive board, serve as the primary contact for the principal, represent the organization at meetings outside the organization, serve as an ex officio member of all committees except the nominating committee, and coordinate the work of all the officers and committees so that the purpose of the organization is served.

b. 1st Vice President. The 1st vice president shall assist the president and carry out the president's duties in his or her absence or inability to serve. The 1st vice president shall be responsible for service including initiating and developing assemblies and enrichment programs and promoting positive school attitudes.

c. 2nd Vice President. The 2nd vice president shall determine fundraising activities with the approval of the executive board. They may initiate and carry out all such projects with the cooperation of various fundraising committees of the organization.

d. Secretary. The secretary shall keep all records of the organization, take and record minutes, prepare the agenda, handle correspondence, and send notices of meetings to the membership. The secretary also keeps a copy of the minutes, bylaws, rules, membership list, and any other necessary supplies, and brings them to meetings.

e. Treasurer. The treasurer shall receive all funds of the organization, keep an accurate record of receipts and expenditures, and pay out funds in accordance with the approval of the executive board. He or she will present a financial statement at every meeting and at other times of the year when requested by the executive board, and make a full report at the end of the year. The treasurer shall also be chairperson of the Finance Committee whose purpose is to prepare the annual budget and present it to the Board for approval. **The**

treasurer is responsible for making sure that IRS form 990EZ is filed yearly.

Section 2. Nominations and Elections. Elections will be held at the May Board meeting. The nominating committee shall select a candidate for each office and present the slate at a meeting held one month prior to the election. At that meeting, nominations may also be made from the floor. Voting shall be by voice vote if a slate is presented. If more than one person is running for an office, a ballot vote shall be taken.

Section 3. Eligibility. In order to be eligible for nomination, a person must have a child registered at Spring Trail Elementary School and previous experience in having served on at least one committee during the school year prior to nomination. **Nominees for president must have served as an officer on the board.**

Section 4. Terms of Office. Officers are elected for one year and may serve no more than three consecutive terms in the same office. Each person elected shall hold only one office at a time.

Section 5. Vacancies. If there is a vacancy in the office of president, the vice president will become the president. At the next regularly scheduled meeting, a new vice president will be elected. If there is a vacancy in any other office, members will fill the vacancy through an election at the next regular meeting.

Section 6. Removal From Office. Officers can be removed from office with or without cause by a two-thirds vote of those present (assuming a quorum) at a regular meeting where previous notice has been given.

Article VI – Meetings

Section 1. Regular Meetings. **The regular meeting of the organization shall be on the first Tuesday of each month during the school year at 7 p.m., or at a time and place determined by the executive board.**

Section 2. Special Meetings. **Special meetings may be called by the president, any two members of the executive board, or a majority of the members.**

Section 3. Quorum. The quorum shall be 10 members of the organization.

Article VII– Committees

Section 1. Membership. Committees may consist of members and board members, with the president acting as an ex officio member of all committees. Committee chairperson shall attend meetings as required.

Section 2. Nominating Committee. The Nominating Committee shall be comprised of 2 Executive Board members, excluding the president. The committee shall nominate at least one eligible person for each board position to be filled and notify the organization 7 days in advance of the election. Consent of each candidate must be obtained before his or her name is placed in nomination.

Section 3. Additional Committees. The board may appoint additional committees as needed.

Article VIII – Finances

Section 1. A tentative budget shall be drafted in the summer for each school year and approved by a majority vote of the members present.

Section 2. The treasurer shall keep accurate records of any disbursements, income, and bank account information.

Section 3. The board shall approve all expenses of the organization.

Section 4. The organization will protect and maintain its own finances by arranging regular audits and obtaining a bond.

Section 5. The organization will obtain its own Federal Employer Identification Number (FEIN) and keep such number on record with the school in which the organization is affiliated with.

Section 6. The treasurer shall prepare a financial statement at the end of the year, to be reviewed by the Audit Committee.

Article IX – Dissolution

The organization may be dissolved with previous notice (14 calendar days) and a two-thirds vote of those present at the meeting. Upon the

dissolution of the organization, assets shall be distributed for one or more exempt purposes within the meaning of section 501(c) (3) of the Internal Revenue Code, or the corresponding section of any future federal tax code, or shall be distributed to the federal government, or a state or local government, for a public purpose. Any of such assets not so disposed of shall be disposed of by the court of general jurisdiction of the county in which the principal officer of the Organization is then located, exclusively for the purposed of the Organization in such manner, or to such organization or organizations qualifying under Section 501(c) (3) of the Code or the corresponding provisions of any future United States internal revenue statute, as said court shall determine.

Article X – Amendments

These By-laws may be altered, amended or repealed and new By-laws may be adopted by an affirmative vote of two-thirds of the Board Members present and voting at any meeting of the Board.