

Bylaws of the RC Hinsdale Elementary PTO

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PTO President

PTO Secretary

Approved Date

Renewal Date

ARTICLE 1: Name

Section 1.01 The name of this association is RC Hinsdale Elementary PTO.

ARTICLE 2: Purposes

Section 2.01 The Purposes of this PTO are:

- a) The RC Hinsdale PTO is a nonprofit, volunteer parent/teacher organization whose membership includes parents, families, legal guardians, teachers and staff at Hinsdale.
- b) The PTO's mission is to strengthen, enhance and encourage the educational and social environment at Hinsdale by encouraging open communication, understanding and involvement between families and staff. Our efforts focus on maximizing the educational experience for all students by providing support that helps every child achieve their highest potential.
- c) The PTO provides volunteer support and other resources to the school for the benefit and educational growth of all students while working to bring the Hinsdale community together.

Section 2.02 The association is organized exclusively for the charitable, scientific, literary or educational purposes within the meaning of Section 501(c)(3) of the Internal Revenue Code or corresponding section of any future Federal tax code (hereinafter Internal Revenue Code).

ARTICLE 3: Basic Policies

Section 3.01 The following are basic policies of PTOs.

- a) The association will be non-commercial, non-sectarian and non-partisan.
- b) The association will work with the schools to provide quality education for all children and youth.
- c) No part of the net earnings of the association will inure to the benefit of, or be distributable to its members, directors, trustees, officers, or other private persons except that the association will be authorized and empowered to pay reasonable compensation for services rendered and to make payments and distributions in furtherance of the purposes set forth in Article 2 hereof.
- d) Notwithstanding any other provision of these articles, the association will not carry on any other activities not permitted to be carried on (i) by an association exempt from federal income tax under Section 501(c)(3) of the internal Revenue Code, or (ii) by an organization/association, contributions to which are deductible under Section 170(c)(2) of the Internal Revenue Code.
- e) Upon the dissolution of this organization, any remaining funds should be used to pay outstanding bills, with the membership's approval, spent for the benefit of the school.
- f) The association or members in their official capacities will not - directly or indirectly – participate or intervene (in any way, including the publishing or distributing of statements) in any political campaign on behalf of, or in opposition to, any candidate for public office; or devote more than an insubstantial part of its activities to attempting to influence legislation by propaganda or otherwise.

Section 3.02 The RC Hinsdale PTO will:

- a) Adhere to the purposes and basic policies of the PTO;
- b) Review the treasurer's books and submit to the Executive Committee and Principal by July 21st;
- c) Submit a copy of the filed IRS Federal 990ez or 990n form to the Executive Committee by November 15th;
- d) Have bylaws approved by the PTO board every five (5) years;
 - a. Bylaws must be on file in the President's notebook with a copy of the minutes reflecting that 30 days' prior notice was given,
 - b. Show that a quorum was present, and
 - c. Reflect that they were approved by the membership body.
- e) Have an IRS Employer Identification Number (EIN); and
- f) Maintain a minimum of ten (10) members.

Section 3.03 Each officer or board member of PTO will be a member of such PTO.

- Section 3.04** There will be no proxy voting.
- Section 3.05** This PTO will keep such books of account and records as will be sufficient to establish the items of gross income, receipts and disbursements of the association, including specifically, the number of its members, the dues collected from its members and the amount of dues remitted. Such books of account and records will at all reasonable times be open to inspection by an authorized representative of PTO.
- Section 3.06** In order for this PTO to dissolve, the unit will complete the following procedures:
- a) The PTO Board will adopt by a two-thirds (2/3) vote, a resolution recommending dissolution be submitted to a vote at a special meeting of members having voting rights. Written or printed notice that the purpose of such meeting is to consider advisability of dissolving the organization will be given to each member entitled to vote at such meeting at least forty-five (45) days prior to the date of such meeting.
 - b) Written notice of the adoption of such resolution, accompanied by a copy of the notice of the special meeting of members, will be given to the principal at least thirty (30) days before the date fixed for such special meeting of the members;
 - c) Only those persons who are members in good standing on the date of the special meeting will be entitled to vote on the question of dissolution; and
 - d) Approval of dissolution of the association will require the affirmative vote of two-thirds (2/3) of the total membership.
- Section 3.07** In the event of the dissolution or withdrawal of the charter of this PTO for any reason, its' assets will be distributed for one (1) or more of the exempt purposes specified in Section 501(c)(3) of the Internal Revenue Code of 1954 as from time to time amended. Upon request of notice of dissolution or withdrawal of charter, the Internal Revenue Service has been notified that the PTO is no longer a tax-exempt constituent association.
- Section 3.08** The organization or members in their official capacities will not endorse a commercial entity or engage in activities not related to promoting the purposes of the association.
- Section 3.9** PTO or any of its divisions may cooperate with other associations and agencies concerned with child welfare, but PTO representatives will make no commitments that bind the group they represent.

ARTICLE 4: Membership and Dues

- Section 4.01** Membership in PTO will be made available without financial discrimination.
- Section 4.02** The PTO will conduct an annual enrollment of members but will admit individuals to membership at any time.
- Section 4.03** While not required, an annual membership donation of \$5.00 is appreciated to offset operational costs of the organization, such as insurance, system platforms, bank fees etc.
- Section 4.04** Only members of the PTO who have enrolled for the current membership year may participate in the business of that association including holding office.
- Section 4.05** A membership will be valid for one (1) year, which is August 1st thru July 31st.

ARTICLE 5: Officer Elections and Vacancies

- Section 5.01** Each officer will be a member of this PTO.
- Section 5.02** Officers and their election.
- a) The officers of this PTO will consist of a president, 5 vice presidents, a secretary and a treasurer.
 - b) Officers will be elected by ballot in the month of April or May. However, if there is but one (1) nominee for any office, election for that office may be by voice vote.
 - c) Officers, except the Treasurer, will assume their official duties at the close of the school year or June 1st, whichever is later.
 - d) The Treasurer will assume office at the completion of the financial review.

- e) Officers will serve for a term of 2 years or until their successors are elected.
- f) A person will not be eligible to serve more than 2 terms in the same office.

Section 5.03 Nominating Committee.

- a) The members of the Nominating Committee for officers will be approved by the Board;
- b) The nominating committee will be composed of 3 members;
- c) Anyone running for an Executive Committee position may not be a part of the Nominating Committee;
- d) The election of the Nominating Committee must be done at least one (1) month prior to the election of officers;
- e) The committee will elect its own chairman; and
- f) The Nominating Committee will nominate an eligible person for each office to be filled and report its nominees at the general PTO membership meeting in April/May, at which time additional nominations may be made from the floor. Only those persons who have signified their consent to serve if elected will be nominated for or elected to such office.

Section 5.04 Vacancies.

- a) A vacancy occurring in any office will be filled for the unexpired term by a person elected by a majority vote of the PTO Board, 10 days' notice of such election having been given;
- b) In case a vacancy occurs in the office of the president, the first (1st) vice president will serve notice of the election; and
- c) If any member of the PTO EC or Board is absent for more than two regularly scheduled meetings without a reasonable excuse, their office/chairmanship may be declared vacant by a majority vote of the PTO Board and the vacancy will be filled in accordance with Article 5, Section 5.04 a and b.

ARTICLE 6: Duties of Officers

Section 6.01 The President will:

- a) Preside at all meetings of the PTO;
- b) Perform such other duties as may be prescribed in these bylaws or assigned to them, or the PTO;
- c) Be a member ex-officio of all committees, except the Nominating Committee; and
- d) Coordinate the work of the officers and committees of the association in order that the purposes may be promoted.

Section 6.02 The Vice President(s) will:

- a) Act as aides to the President;
- b) Perform the duties of the President, in their designated order, in the absence or inability of that officer to serve; and
- c) Perform such other duties as may be prescribed to them.

Section 6.03 The Secretary will:

- a) Record the minutes of all meetings of the PTO;
- b) Have a current copy of the bylaws; and
- c) Perform such other duties as may be prescribed to them.

Section 6.04 The Treasurer will:

- a) Have responsibility for all of the funds of the organization;
- b) Keep a full and accurate account of receipts and expenditures;
- c) Make disbursements as authorized by the President, or the PTO Board, in accordance with the budget adopted by the PTO;
- d) Have checks or vouchers signed by two (2) persons, the Treasurer and one (1) other authorized person;
- e) Present a financial statement at every PTO meeting, and at other times when requested;
- f) Make a full report at the meeting at which new officers officially assume their duties;

- g) Be responsible for the maintenance of such books of account and records as conform to the requirements of Article 3, Section 3.06 of these Bylaws;
- h) Cooperate with allowing the accounts to be reviewed annually by a committee of not less than three (3) members, who, satisfied that the Treasurer's annual report is correct, will sign a statement of that fact at the conclusion of the report;
- i) Submit the Financial Review Form to the Executive Committee and the school's principal by July 21st; and
- j) Must file with the IRS 990 or 990n (e-postcard by November 15th of each year).

Section 6.05 All officers will perform the duties outlined in these Bylaws and those assigned from time to time. Upon the expiration of the term of office or in case of resignation, each officer will turn over to the President, within 7 days, all records, books and other materials pertaining to the office, and will return to the Treasurer, without delay, all funds pertaining to the office.

ARTICLE 7: Executive Committee

Section 7.01 The membership of the Executive Committee will consist of the elected officers of the PTO and the Principal of the school.

Section 7.02 The duties of the Executive Committee will be to approve Board Members and act in an emergency situation.

Section 7.03 A majority of the members of the Executive Committee will constitute a quorum.

ARTICLE 8: PTO Board

Section 8.01 The Board will consist of the Executive Committee, the Board members, and the Principal of the school or a representative appointed by them.

- a) The Board Members will be selected and approved by the Executive Committee of the PTO.
- b) The President may appoint a Parliamentarian, subject to the approval of the Executive Committee.

Section 8.02 The duties of the Board will be:

- a) To transact business in the intervals between PTO general membership meetings and such other business as may be referred to it by the PTO;
- b) To approve the plans of work of the standing committees;
- c) To present a report at the scheduled general membership meetings of the PTO;
- d) To prepare and submit to the PTO a budget for adoption for the year; and
- e) To approve routine bills within the limits of the budget.

Section 8.03 Meetings of the Board:

- a) PTO Board meetings to be held during the school year;
- b) Meeting times to be decided by the Board;
- c) A majority of the Board members will constitute a quorum; and
- d) Special meetings of the board may be called by the President or by a majority of the members of the Board seven (7) days' notice being given.

Section 8.04 Only members of the PTO will be eligible to serve in any elected or appointed positions.

Section 8.05 Board Members will serve for a term of 2 year(s) or until their successors are elected.

Section 8.06 A person will not be eligible to serve more than two (2) consecutive terms in the same role.

Section 8.07 The Board Member of each standing committee will present a plan of work to the PTO Board for approval. No committee work will be undertaken without the consent of the PTO Board.

Section 8.9 The power to form and dissolve special committees, as well as appoint their members, rests with the Executive Committee.

Section 8.10 The President will be a member ex-officio of all committees, except the nominating committee.

ARTICLE 9: General Membership Meetings

Section 9.01 A minimum of three (3) General Membership meetings of this association will be held during the school year. The election of officers must be at a general membership meeting in accordance with the bylaws.

- a) Dates of these meetings will be determined by the PTO Board; and
- b) Seven (7) days' notice will be given of a change of date.

Section 9.02 Special meetings of the PTO may be called by the President or by a majority of the PTO Board seven (7) days' notice having been given.

Section 9.03 The election meeting will be held in April/May (month).

Section 9.04 The PTO must maintain a minimum of ten (10) members.

Section 9.05 Ten (10) members will constitute a quorum for the transaction of business in any General Membership meeting of this PTO.

ARTICLE 10: Fiscal Year

Section 10.01 The fiscal year of this organization will begin July 1st and end June 30th.

ARTICLE 11: Parliamentary Authority

Section 11.01 Roberts Rules of Order will govern meetings when they are not in conflict of the organization's bylaws or any other special/standing rules.

ARTICLE 12: SBDM Council Party Representative Elections

Section 12.01 The election of Parent Representatives to the School Based Decision Making (SBDM) Council will be conducted by the PTO as authorized under the Kentucky Education Reform Act (KERA) of 1990, as specified in KRS 160.345.

Section 12.02 The PTO has specific procedures on the SBDM Candidate election process that are outlined in the Standing Rules.

ARTICLE 13: PTO Viewpoints

Section 13.01 All fundraising activities will be designed with the safety and wellbeing of the participants in mind.

Section 13.02 The PTO believes that PTO funds should always be used to further the PTO Mission and Purposes. PTO also believes:

- a) Federal, state and local public funds should be used to purchase textbooks and equipment, pay for regular telephone lines, and pay for certified and classified staff salaries.
- b) The PTO will allocate their funds to enhance the educational and social environment for all students and support projects that are congruent with our mission statement.

Section 13.03 All Board and EC Members are responsible for disclosing any potential conflict of interest, financial or otherwise.

- a) The EC will vote on such matters as they come up.

ARTICLE 14: Amendments

Section 14.01 These bylaws may be amended at any general membership meeting of the PTO provided that notice of the proposed amendment will have been given at least thirty (30) days prior to the meeting at which the amendment is voted upon; that a quorum has been established; and that the amendment will be subject to approval of the PTO. Bylaws amendments require a two-thirds (2/3) vote of the members present and voting.

- a) A committee may be appointed to submit a revised set of bylaws as a substitute for the existing bylaws only by a majority vote at a meeting of the PTO, or by a two-thirds vote of the PTO board. The requirements for adoption of a revised set of bylaws will be the same as in the case of an amendment.

Section 14.02 The adoption of an amendment to any provision of the bylaws of the PTO identified by a pound (#) symbol will serve automatically and without requirement of further action by the PTO to amend correspondingly the bylaws of each local PTO.