

# EAGLE POINTE PARENT-TEACHER ORGANIZATION (PTO) BYLAWS

## ARTICLE I – NAME

The name of the organization is the Eagle Pointe Parent-Teacher Organization.

## ARTICLE II – ARTICLES OF ORGANIZATION

The organization exists as an unincorporated organization of its members and these bylaws, as from time to time amended, shall be deemed to be its Articles of Organization.

## ARTICLE III – OBJECTIVES

Section 1. The organization 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 (hereafter "Internal Revenue Code").

Section 2. The objectives of the organization are:

- A. To promote the welfare of children in the home, school and community;
- B. To enrich the children's environment;
- C. To support adequate laws for the care and protection of the children;
- D. To bring into closer relations, the home and school, so that parents and teachers may cooperate intelligently in the education of children; and
- E. To develop between educator and the general public such united efforts as will secure for all children the highest advantages in physical, mental, social and moral development.

Section 3. The objectives of this organization are promoted through an educational program directed towards parents and teachers that are developed through committees, projects and programs and are governed and qualified by the basic policies set forth in ARTICLE IV.

## ARTICLE IV – BASIC POLICIES

The following are basic policies of this organization:

- A. The organization shall be non-commercial, non-sectarian, and non-partisan.
- B. The name of the organization and the names of any members in their official capacities shall not be used in connection with a commercial concern or with a partisan interest or for any purpose not appropriately related to promotion of the objectives of the organization.
- C. The organization shall not directly or indirectly participate or intervene, in any way, including the publishing and distribution of statements, in any political campaign on behalf of, or in opposition to, any candidate for public office. School Board Elections shall not be considered "political" in order that the organization may sponsor debates between candidates, if so desired.
- D. The organization shall work with the school to provide quality education for all children and shall seek to participate in the decision making process establishing school policy, recognizing that the legal responsibility to make decisions has been

- delegated by the people to the Board of Education. However, the organization shall abstain from encroaching on administrative functions of the school.
- E. The organization shall not consider personal grievances against the school administration, teachers, or other staff members or any officers or members of the organization and no member shall use it as a forum to raise such issues.
  - F. The organization may cooperate with other organizations and agencies concerned with child welfare, but persons representing the organization in such matters shall make no commitments that bind the organization without the consent of the membership.
  - G. No part of the net earnings of the organization shall inure to the benefit of, or be distributed to its members, directors, trustees, officers or other private persons except that the organization shall be authorized and empowered to seek competitive bids over \$500 where otherwise applicable, pay reasonable compensation for services rendered and to make payments and distributions in furtherance of the purposes set forth in ARTICLE IV hereof.
  - H. Notwithstanding any other provision of these articles, the organization shall not carry on any other activities not permitted to be carried on (i) by an organization, exempt from Federal income tax under Section 501(c)(3) of the Internal Revenue Code, or (ii) by an organization, contributions to which are deductible under Section 170(c)(3) of the Internal Revenue Code.
  - I. The organization shall have a "Policy and Procedure Manual" available to the membership which will have all member approved policies and procedures not stated in the by-laws.

#### ARTICLE V – MEMBERSHIP, DUES, AND PRIVILEGES

Section 1. Membership in this PTO shall be made available without regard to race, color, creed, national origin, religion, disability, or any other status protected under Federal, State, or local laws or ordinances, to any individual who subscribes to the Objectives and Basic Policies set forth in Articles III and IV above who has a child attending Eagle Pointe School or is employed as a staff member of Eagle Pointe School. Concerned community members may also be members of the organization but without the privileges set forth in Section 5 below.

Section 2. This PTO shall conduct an annual enrollment of members but may admit new members at any time. For the purpose of voting, each family shall be considered one member.

Section 3. The membership year shall be from August 1 to July 31, inclusive. Persons who join during the membership year shall pay dues for that year.

Section 4. Each member family shall pay annual dues to said organization as may be prescribed by the organization.

Section 5. The privilege of making motions, voting, holding positions on committees, or serving as an officer in this PTO shall be limited to members of the PTO. Failure to subscribe to the Objectives and Basic Policies set forth in Articles III and IV above and/or a failure to remain current on dues to this PTO may result in the revocation of these membership privileges.

#### ARTICLE VI – GENERAL MEMBERSHIP MEETINGS

Section 1. General membership meetings shall be held monthly during the fiscal year or as otherwise determined by a majority vote of the general membership. The proposed calendar for such meetings shall be distributed to the general membership at the first scheduled meeting at the start of the fiscal year.

Section 2. Items for the meeting agenda must be submitted in writing to the secretary no less than one week prior to the monthly general membership meeting. Failure to submit an item for the agenda in this manner may result in the item being tabled until the next general membership meeting. The proposed agenda shall be posted in front of the school the Friday before a scheduled meeting.

Section 3. A majority of the Organization's officers must be present to conduct a general membership meeting. The highest ranking officer present shall preside over the meeting.

Section 4. At any general membership meeting, for the transaction of business, a simple majority vote will be taken of the members with voting privileges present, along with at least two officers. Each family membership with voting privileges shall be entitled to one vote.

#### ARTICLE VII-OFFICERS AND THEIR ELECTIONS

Section 1. Each officer of this PTO shall be a member of this PTO.

Section 2. The officers of this organization shall be:

- A. A President or Co-Presidents, 1<sup>st</sup> Vice-President, 2<sup>nd</sup> Vice-President, Secretary and Treasurer in succession. .
- B. These officers shall be elected by ballot majority vote every two years in the month of May except where there is but one candidate for any office. In such cases, elections may be by voice (See Section 3).
- C. Officers shall assume their duties after the June General Membership meeting, and shall serve for a term of up to two years, at the officer's discretion.
- D. A person shall not be eligible to serve more than one term in the same office unless there is no other volunteer to fill that office.
- E. Each of the elected officers shall, under their consent, serve a consecutive two-year term.
- F. One who serves one-half or more of a term shall be credited with having served that term.
- G. In order to be eligible for a Board position, other than President or Co-President, a person should have served as a Chair/Co-Chair of at least one committee for this PTO prior to running for office.
- H. In order to be eligible for President/Co-President a person should have served as another officer on the Eagle Pointe PTO Board prior to running for this office. If no such person is available, a person could be eligible if they had chaired a larger committee as determined by the Executive Board.
- I. In the event of a resignation or vacancy in a Board position or an appointed chair of the organization, the President/Co-Presidents or next highest officer will appoint a replacement who meets the candidacy requirements outlined in Section 2, Letters G & H above, or have served in a similar position with proof from a school district , unless no other person is available, for the remaining term

of office. Such appointees must be confirmed by a majority vote of the Executive Board.

- J. Should two or more mid-term vacancies exist during the same term of office, a special election shall be held to fill the vacancies for the remaining terms of the offices. The procedure for the nomination of candidates and the date of the special election shall be determined by the Executive Board at their first meeting following notification that the vacancies will occur. To the extent possible, the procedures for the special election shall be consistent with the procedures set forth in Section 3 below regarding regular elections. Prior to setting a special election, current officers will be given the opportunity to move into a vacant position immediately above his/her office in the line of succession and the election will then be to fill the vacancy created by the move. (For example, if there are concurrent vacancies in the offices of the President and the 2<sup>nd</sup> Vice-President, the 1<sup>st</sup> Vice President may fill the remaining term of the President and the Secretary may fill the remaining term of the 2<sup>nd</sup> Vice President. The special election will then be held to fill the offices of 1<sup>st</sup> Vice President and the Secretary.)

### Section 3.

- A. For regular elections, there shall be a nominating committee composed of three members, one Board member, and one teacher who shall be elected by the organization at a General Membership meeting at least two months prior to the May election of officers. The committee shall elect its own chairperson.
- B. The nominating committee shall nominate eligible persons for each office to be filled and report its nominees at the Board meeting in April and an April newsletter or flyer. Nominations shall be sent to the nominating committee Board meeting chairperson. The elections shall take place in May at the May Board meeting in accordance with Article VII, Section IIB.

## ARTICLE VIII – DUTIES OF OFFICERS

Section 1. In addition to the duties that may be set forth elsewhere in these bylaws, the President/Co-President shall:

- A. Preside at all meetings of the organization, the Executive Board and the Executive committees.
- B. Act as ex-officio member of all committees except the nominating committee.
- C. Appoint chairpersons of special committees.
- D. Appoint chairpersons of standing committees, subject to approval of the majority of officers.
- E. Keep an accurate roster of the names and addresses of the respective officers and the names and addresses of the members of the organization's Executive Board.
- F. Must approve and sign all outgoing checks.
- G. Assign a Vice-President to approve and sign checks.

Section 2. In addition to the duties that may be set forth elsewhere in these bylaws, the 1<sup>st</sup> Vice-President shall:

- A. Preside in the absence of the President/Co-Presidents

- B. Preside in the absence of another officer.
- C. Serve as an aide to the President/Co-Presidents.
- D. In the case that a vacancy occurs in the office of President/Co-Presidents, serve the unexpired term.
- E. Be responsible for Fund Raising and its committee.
- F. Serve as Eagle Pointe representative to District 202 CAPE committee.

Section 3. In addition to the duties that may be set forth elsewhere in these bylaws, the 2<sup>nd</sup> Vice-President shall:

- A. Preside in the absence of the President/Co-Presidents or 1<sup>st</sup> Vice President.
- B. Act as liaison to school administrator regarding PTO funded programs and/or assemblies.
- C. Serve as an aide to the President/Co-Presidents.
- D. Serve as Eagle Pointe representative to District 202 CAPE committee.
- E. Be responsible for Publicity and Eagle Pointe Historical Scrapbook if no other volunteer accepts the Historian chairman's position.
- F. Serve as an aide to the 1<sup>st</sup> Vice President Fund Raising and its committee.

Section 4. In addition to the duties that may be set forth elsewhere in these bylaws, the Secretary shall:

- A. Keep minutes of all meetings of the organization and of the Executive Board and Executive committees.
- B. Have charge of all official correspondence, including "Sunshine" duties.

Section 5. In addition to the duties that may be set forth elsewhere in these bylaws, the Treasurer shall:

- A. Oversee all funds belonging to the organization.
- B. Collect and keep account of all monies of the organization.
- C. Pay out funds in accordance with the budget as approved by the membership and authorized by properly signed vouchers. Vouchers shall be signed by two persons. Checks shall be signed by two of three duly elected and authorized officers.
- D. Submit a report at each meeting of the organization, or at the request of the Executive committee.
- E. File for 990EZ as required by the Internal Revenue Service for the term of office held.
- F. The books of the treasurer shall be turned over immediately upon audit to the new treasurer with a statement signed by the auditor of the auditing committee that the books are in order. At least \$1,000.00 shall remain in the treasury to start the new year.

Section 6. The auditor or an auditing committee of no less than three members shall be appointed by the President at least thirty days before the June meeting, and such audit must be completed no later than August 1.

## ARTICLE IX – EXECUTIVE BOARD

- Section 1. The Executive Board shall consist of:
- A. The officers of the organization.
  - B. The school Principal or his/her representative.
- Section 2. The Executive Board shall:
- A. Transact the necessary business between organization meetings and such other business as may be referred it by the organization.
  - B. Create standing committees.
  - C. Approve appointment of special committees.
  - D. Approve appointments of committee chairpersons.
  - E. Fill vacancies of office.
  - F. Approve plans of work of the organization's standing and special committees.
  - G. Present reports to the organization.
  - H. Approve routine bills within the limits of the budget.
- Section 3. Regular Standing Meetings:
- A. The Executive Board shall hold monthly meetings called by the President inviting general membership with voting privileges to attend. A complete schedule of meetings shall be published in the first newsletter of the school year. Special meetings of the Board may be called by the President or by the majority of the members of the Board giving three days notice.
  - B. In the event that an Executive Board member shall absent oneself from two or more regular meetings without due cause it shall be, at the discretion of the majority of the Executive Board, considered a resignation from one's position.
- Section 4. Members present shall constitute a quorum to transact any business.

#### ARTICLE X – EXECUTIVE COMMITTEE

- Section 1. The Executive committee shall consist of the elected officers.
- Section 2. Meetings shall be held monthly, before the regular standing meetings. Meetings shall be held at the call of the President or majority of the Executive Committee. A majority shall constitute a quorum.
- Section 3. The committee may transact business of the organization in an emergency, as well as approved routing bills, if less than \$200.00. Further, the Committee may transfer funds within the approved budget from one line item to another up to 20% or a maximum of \$500, if there is no Budget and Finance Committee available, of the total budgeted amount of the line item from which the funds are being transferred, which ever is greater. However, no action shall be in conflict with that taken by the voting body of the organization and/or the Executive Board. Any transfer of funds

within the approved budget from one line item to another in an amount greater than that set forth in this paragraph requires the approval of the general membership.

Section 4. The committee will have authority to award "Certificates of Appreciation and/or Recognition."

Section 5. The committee shall review the tentative budget from budget and finance committee for recommendation as a proposed budget to the general membership for adoption.

#### ARTICLE XI – STANDING COMMITTEES

Section 1. Such standing committees shall be created by the Executive Board as may be required to promote the objects and interests of the organization.

Section 2. A standing committee chairperson shall hold that position not more than two years, unless no other volunteers are found.

Section 3. Chairpersons of all committees must adhere to the Code of Conduct set forth in Article XII of these Bylaws and must otherwise be eligible to serve as committee chair.

Section 4. Chairpersons of all standing committees shall be accountable to the Executive Board for that committee's responsibilities and plans of work. No committee work shall be undertaken without such approval.

#### ARTICLE XII – CODE OF CONDUCT

Section 1. The officers of the organization, committee chairs and members are required to act in a professional manner at all times. They are also required to follow the conduct guidelines listed below.

- A. Honestly represent yourself and all constituents
- B. Avoid conflict of interest.
- C. Obey the decisions by majority vote.
- D. Avoid actions that compromise the Board or the confidentiality of the Board.
- E. Abide by decisions of the Board majority.
- F. Respect the free expressions of others.
- G. Be knowledgeable of local, state and national issues.
- H. Abide by the Objectives and Basic Policies of this PTO.

Section 2. Departure of Board members and committee chairs. Board member and committee chair responsibilities may terminate or be terminated in the following manners:

- A. Resignation. Should a Board member or committee chair choose to resign from his/her office, he/she will be eligible to run for another position on the Board or to hold another committee chair.
- B. Leave of Absence. These situations will be evaluated on a case-by-case basis. Time limits of the Leave of Absence will be determined by the Executive Board. In

- the case of Leave of Absence, the President/Vice-President duties shall be interchangeable and the Secretary/Treasurer duties shall be interchangeable.
- C. Removal. The Board may remove one of its members or a committee chair for violation of this Code of Conduct in accordance with Paragraph D. The removal of a Board member or committee chair will constitute the forfeiture of all privileges in the PTO Organization. The individual(s) will not be eligible for any other Board or committee chair position or have voting rights for up to a one year period as determined by the Board from the date of the removal. Should the Board determine that the conduct of one of its members or a committee chair warrants a forfeiture of rights greater than one year it will recommend such action to the membership for vote in a general membership meeting. The recommended action must be approved by a majority of those present. In addition, in the event that an individual has been removed prior to the acceptance of these amended bylaws, it has been deemed that these individual(s) are ineligible for any Board or committee chair positions for the remainder of the period previously determined by the Board.
- D. Removal process. The Board will conduct a hearing in the presence of all parties involved. A signed complaint will be read to all parties present. The accused shall be permitted to make statements in defense of their actions. Witnesses, if applicable, will be permitted to speak to the specific actions/scenarios in question. Finally, the board will consider the findings of the hearing and then make a decision with regard to the removal, scope of suspended privileges, and duration of same not to conflict with paragraph C. All outcomes will be signed by the presiding officers and secretary and be filed into the PTO records.

### ARTICLE XIII – PARLIAMENTARY AUTHORITY

Robert's Rules of Order Newly shall govern the organization in all cases in which they are applicable and in which they are not in conflict with these bylaws.

### ARTICLE XIV – FISCAL YEAR

The Fiscal Year of the organization shall run from July 1 to June 30, inclusive.

### ARTICLE XV – AMENDMENTS

Section 1. These bylaws may be amended at any regular meeting of the organization by a two-thirds vote of its members present and eligible to vote, provided that the organization has been given notice of and an opportunity to comment on the proposed amendment. The amount of notice given shall be determined by the Executive Board.

Section 2. A committee may be appointed to submit a revised set of bylaws, or substitute for existing bylaws only by a majority vote at a meeting of the organization, or by a two-thirds vote of Executive Committee. The requirements for adoption of a revised set of bylaws shall be the same as in the case of an amendment. Bylaws should be reviewed every other year.

### ARTICLE XVI – DISSOLUTION CLAUSE

Upon the dissolution of the Organization, the Organization shall, after paying or making provision for the payment of all liabilities of the Organization, dispose of all the assets of the Organization exclusively for the purpose of the Organization in such manner, or to such organization or organizations organized and operated exclusively for charitable, educational, or scientific purpose as shall at the time qualify as an exempt organization or organizations under Sections 501(c)(3) of the Internal Revenue Code of 1986 (or the corresponding provision of any future United States Internal Revenue law), as the Board of Trustees shall determine.

Any such assets not so disposed of shall be disposed of by the Court of Common Pleas of the county in which the principal office of the Organization is then located, exclusively for such purposes or to such organization or organizations, as said Court shall determine, which are organized and operated exclusively for such purposes.

Submitted January 4, 2005

Bylaw Committee:

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