

**By-Laws and Procedures**  
**Marsh Creek Sixth Grade Center**  
**Home & School Association**  
**489 Dorlan Mill Road**  
**Downingtown, Pa 19335**

ARTICLE I: NAME

The name of this organization shall be Marsh Creek Sixth Grade Center Home & School Association (hereinafter referenced as "MC6GCHSA," "Organization," "Sixth Grade Center," and/or "Association.") The Organization shall be controlled by its officers, elected to the Board of Directors (hereinafter referenced as "the Board.") Correspondence shall be directed to the HSA President, Marsh Creek Sixth Grade Center, Home & School Association, 489 Dorlan Mill Road, Downingtown, PA 19335.

ARTICLE II: PURPOSE AND OBJECTIVES

**PURPOSE:** To support and enhance the mission of the Marsh Creek Sixth Grade Center (hereinafter referenced as "the School" or "MC6GC"), and the Downingtown Area School District (hereinafter referenced as "the District," "the School Board," and/or "DASD"; to encourage a spirit of cooperation and understanding between and among the Home & School Association and the parents and guardians of the students; to promote the welfare of the students in the School, home and community; to establish and maintain an effective working relationship between parents and guardians of the students and the administration of the School, and to facilitate communications between the Organization and the administration of the School and the District.

**OBJECTIVE:** To provide opportunities for parents and guardians of the School's students to become actively involved with, and support the School; to provide support to the School and its programs beyond what is currently available through special programs and projects.

ARTICLE III: POLICY

Section 1. The Association shall be non-sectarian, non-partisan, and non-commercial.

Section 2. Neither the name of the Association, nor the name of any members or officers of the Association shall be used in any connection with a commercial concern, nor with any partisan interests, nor for any purpose not appropriately related to the purpose of the Association. The Association shall not represent that any activity or publication has been sanctioned by the MC6GC or the District unless it has been approved by the school principal.

Section 3. The Association shall be subject to the rules, regulations, administrative procedures and School Board policies of the DASD as specified in its Policy #915. In the event that any provision of the

Association's By-Laws conflict with any DASD or School Board rule, regulation, policy or procedure, the District's or School Board's rule, regulation, policy or procedure shall take precedence.

#### ARTICLE IV: ARTICLES OF ORGANIZATION

The Association shall exist as a not-for-profit organization in the Commonwealth of Pennsylvania. These By-Laws, as from time-to-time amended, shall comprise its "Articles of Organization" or "Articles of Association." This is the corporate charter or "legal instrument" as established by Roberts Rules of Order.

#### ARTICLE V: TAXES AND INSURANCE

Section 1. The Association shall complete and submit its own Taxpayer Identification Number with the IRS, using form SS-4.

Section 2. The Association shall file Form 1043 with the IRS and apply for 501(c)(3) status so that donations to the Association will be tax deductible. By January 31st of each year, the Association shall provide receipts or IRS documentation for all contributions over \$250.

Section 3. The Association shall send a letter to the Pennsylvania Charities Commission stating that it is an education-related organization and not required to file annual reports.

Section 4. The Association may complete and file a Sales Tax Exemption Application with the Pennsylvania Department of Revenue. Upon receipt of its state sales tax exemption number, the Association shall complete the Exempt Organization Declaration of Sales Tax Exemption that shall be used to prove exempt status.

Section 5. The Association may maintain a fidelity bond on all members and officers.

#### ARTICLE VI: FUNDRAISING

Section 1. The Board shall determine the quantity, timing, and type of fundraising activities and events to be conducted at the MC6GC, in conjunction and coordination with the school's principal, and based upon budget requirements.

Section 2. Sales of all merchandise may be controlled and accounted for by the use of sales slips, which shall be used to reconcile cash received and merchandise dispensed.

Section 3. Volunteers who work with cash shall work in pairs as much as possible.

Section 4. Volunteers shall sign for the transfer of cash and/or provide an accounting of cash received, for amounts exceeding five-hundred dollars (\$500), so as to protect each person from unfounded allegations.

## ARTICLE VII: MEMBERSHIP

Section 1. Membership in the MC6GCHSA is limited to parents and guardians of students currently enrolled in the School, and DASD employees currently working at the School. Membership cannot be denied on the basis of race, color, religion, national origin, sex, age, marital status, sexual orientation, physical handicap, or political affiliation.

Section 2. Members shall be required to accept and abide by the By-Laws of this organization.

Section 3. Members shall be volunteers and not employees or agents of the School, or of DASD. The school's teachers and other DASD employees, except the school principal, shall be considered volunteers and not employees when they are engaged in activities and functions of the Association.

Section 4. Only members shall be eligible to serve in any of the Association's elected or appointed offices.

Section 5. The Association's members have the following rights:

- a) To vote for elected officers
- b) To bring issues to the Board under "new business"
- c) To ask for issues to be brought before the general membership
- d) To serve as officers or chairpersons of the Association

Section 6. Parents or guardians of the incoming students shall be eligible to run for office for the upcoming year.

## ARTICLE VIII: HOME & SCHOOL ASSOCIATION BOARD: ELECTED AND APPOINTED

Section 1. The elected and voting officers of the Association ("The Board") shall consist of a President, a Vice-President, a Secretary, and a Treasurer. It is advisable that each office be held by one person, but two people may share an office if the need arises, and as determined by the sitting Board. An Administration Representative may also be appointed to the Board, as a "teacher liaison," as per Section 3 below.

Section 2. All officers MUST have a child attending the School during the year they are an elected member of the Board.

Section 3. The principal may appoint a "teacher liaison" to serve as a non-voting, consulting member of the Board, who will serve for the period of one year, and who will facilitate communications between the Board, and the teachers of the School.

Section 4. The terms of all officers and committee chairpersons shall begin July 1st, and continue for the period of one year. No person shall be eligible to serve more than two consecutive terms in the same office.

Section 5. The Association shall provide the School's principal with the name, street and email addresses and work, home and cell phone numbers of all Board members.

Section 6. No member of the Association or the Board shall be an employee or agent of the School district, and shall have no authority to enter into any contract, it in any way bind the School or DASD.

#### ARTICLE IX: ELECTIONS AND APPOINTMENTS

Section 1. In February of each school year, an email shall go out to the parents of the incoming class (with the assistance of the principal and/or DASD), requesting nominations for the Board for parents of students who will be attending the MC6GC the following year.

Section 2. Nominations for elected officers shall be presented at the Association's April meeting. Nominations may also be accepted from the floor at such meeting. Any eligible member may nominate him/herself, and/or any eligible member may be nominated with his/her consent, by another member. Eligible members shall consist of any/all parents or guardians who will have a student in the MC6GC the following school year. Prior HSA experience is helpful, but not mandatory.

#### Section 3. Elections

- a) Elections shall be held during the regularly scheduled May meeting of the Association. A quorum must be present.
- b) If each Board position is running unopposed elections shall be by a voice vote, or show of hands. Otherwise, the election shall be by written ballot.
- c) Only members present at the election shall be eligible to vote. Candidates do not need to be present, however if they are not, then they are not eligible to cast a vote.
- d) In the event of a tie, the two candidates with the most votes will be placed on the written ballot for another vote. No write-in candidates will be accepted on this vote, or on any subsequent vote. In the event of a tie, voting will continue through written ballots on the top two candidates until the tie is broken.

#### Section 4. Filling Vacancies.

- a) A vacancy occurring in any office except that of the President shall be filled for the unexpired term by an eligible member elected by the majority vote of the remaining member of the Board within 30 days of the vacancy.
- b) The President's terms of office shall be completed by the Vice President. If the Vice President is unable or unwilling to fulfill this position, a temporary installation shall be made at the next Board meeting.
- c) Any officers of the MC6GCHSA may be recalled from office upon petition of two-thirds of the actual membership of the Association which shall be filed with the principal, and the vacancy shall be filled by a general election of the membership in attendance at the next regularly scheduled meeting of the Association.

#### ARTICLE X: DUTIES OF THE BOARD MEMBERS

## Section 1 The President

- (a) Shall serve as the contact person, who shall be invested with proper authority to act on behalf of the Association, for the School's principal to communicate with relative to conducting the business of the Association.
- (b) Shall preside at all meeting of the Association and the Board
- (c) Shall coordinate the duties of the elected officers and appointed chairpersons
- (d) Shall serve as the ex-officio member of all committees of the Association
- (e) Shall attend the DASD Joint HSA monthly meetings, or send a representative

## Section 2 The Vice-President

- (a) Shall perform the duties of the President in his/her absence
- (b) Shall serve as an ex-officio member of all committees of the Association
- (c) Shall coordinate/compile the names and contact information of committee chairpersons and committee members

## Section 3 The Secretary

- (a) Shall keep accurate minutes of all meeting and provide copies for the membership. Minutes will be posted under the Home & School area for the Marsh Creek Sixth Grade Center website.
- (b) Shall be available for any Association business and correspondence

## Section 4 The Treasurer

- (a) Shall be authorized by the Board to open a bank account in the name of MC6GCHSA. This account must have at least three (3) authorized signers, including the treasurer and at least two (2) other Board members.
- (b) Shall prepare a yearly budget with the assistance of the other Board members, and have it adopted by the Associations' officers
- (c) Shall record all cash receipts and disbursements
- (d) Shall retain ultimate custody of the all funds of the Association
- (e) Shall keep a full and accurate account of income and expenses, and reconcile bank accounts, monthly
- (f) Shall make disbursements in accordance with the Association's budget, or other authorizations received from the Association or the Board
- (g) Shall present financial reports at each meeting and present a full report at the final meeting
- (h) Shall provide written receipts to donors of contributions in excess of \$250

## Section 5. Administration Representative

- (a) Shall coordinate the Association's activities as they relate to the school administration
- (b) Shall coordinate dates and activities of various groups to prevent duplication and conflicts.

Article XI: Duties of the Standing and Temporary Committee Chairpersons

Section 1. The Association shall maintain standing committees as determined by need and approved by the Board. Temporary committees shall be created by the Board as needed. Temporary committees automatically go out of existence when their work is done and the final report is received.

Section 2. The Board may create additional committees and the President shall appoint a chairperson of such committees as deemed necessary to promote the purpose and policy of the Association. The Board may also eliminate committees which no longer achieve these goals. Committees may be added or deleted by a simple majority vote of a quorum of the Board.

Section 3. Committees must consult with the President or Vice-President for approval of activities between regular board meetings. The President will supply a list of committee responsibilities to the committee chair. The committee chairs must submit to the President a report of their activities within 30 days of completion of committee duties.

Article XII: Meetings of the Association and the Board

Section 1. Meetings of the Association shall be held bi-monthly during the school year, with a minimum of 4 meetings per year.

Section 2. The initial regular meeting of the Board shall be held after the elections and prior to the start of the following school year, at a date and place agreed upon by Board Members. Subsequent regular meetings of the Board shall be held as needed on dates and places determined by the Board.

Section 3. Special meetings shall be called at the request of the President, or at the request of three or more Association members, provided that one (1) weeks' notice is given to all members of the Board.

Section 4. The Executive Board shall constitute a quorum for the transaction of business in any public meeting of the Association. For the purpose of transacting business at regular and special meetings of the Board, a quorum shall consist of a majority of its members present at the meeting.

Section 5. All votes taken at Board meetings or Association meetings shall pass with a simple majority vote, of the members present at the meeting. Any member wishing to discuss a topic before the membership may do so during the "New Business" segment of the meeting, with previous notification to the president recommended. A vote can be taken if needed, with majority rule from the attending membership.

Section 6. Officers and committees may "meet," confer, or take action by telephone, email, or text, and any such meetings shall have the same force and effect as those held in person.

Article XIII. Finance

Section 1. The fiscal year shall start on July 1st, and end of the following June 30th.

Section 2. All financial accounts shall be in the name of the treasurer and authorized signers, requiring either signature but not all.

Section 3. Non-budgeted expenditures exceeding five-hundred dollars (\$500) must have the majority approval of the Board.

Section 4. An original receipt must be submitted for reimbursements of any monies.

Section 5. A budget meeting shall be held prior to the start of the next school year.

Section 6. A minimum of \$3000 shall be held in reserve for the following school year.

Article XIV. Amendments to By-Laws

Section 1. The By-Laws shall be reviewed from time-to-time as needed. Proposed revisions shall be made available for inspection and review by the general membership at least ten days in advance of a vote. Approval of a majority of voting members present is required to pass any revisions to these By-Laws.

Article XV. Disbandment of Association

Section 1. The District Superintendent or his/her designee may disband the Association if, in the Superintendent's sole discretion, it is determined that such an action will be in the best interest of the School and the District. The Association shall be provided thirty (30) days advance written notice of its dissolution and the reasons therefor. In the event that the Superintendent disbands the Association, the Association will provide for the appropriate disposition of any funds remaining in the Association's finances.

APPROVED ON: July 8, 2014

EFFECTIVE ON: July 8, 2014