

# By-laws and Procedures

## Downingtown West Home & School Association

445 Manor Road, Downingtown, Pennsylvania 19335 Chester County

Adopted 3/2022

### Article I. Name & Purpose

Section 1.01 The name of this Organization shall be Downingtown West Home & School Association. (DWHSA)

Section 1.02 Purposes

(a) Its purpose shall be to encourage a spirit of cooperation, understanding and support between home and school and to further the education and connectedness of students to their school.

(b) In keeping with its purpose, this organization is non-partisan, non-profit and non-sectarian.

Section 1.03 Upon dissolution of DWHSA, all funds will be transferred into the Downingtown High School West Activity Fund account.

Section 1.04 Correspondence shall be addressed to: Downingtown West Home & School Association, 445 Manor Road, Downingtown, PA 19335.

### Article II. Officers and their Election

Section 2.01 Offices and Terms

(a) The officers (Executive Board) of this Association shall be president, a vice-president, a secretary, a treasurer and any voted on alternate position. (See Section 3.06 of this Article). It is advisable that each office be held by one person; however, two people may share an office.

a. Alternate positions may be deemed as an 'officer' if majority vote of current standing officers agrees.

(b) Officers shall assume their official duties on July 1 and serve for two term year.

(c) A person shall not be eligible to serve more than two consecutive terms in the same office unless no other persons expresses an interest.

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### Section 2.02 Officer Nominations

- (a) Officer nominations will be by offer to volunteer of said nominee.
- (b) It is recommended, but not required that volunteers have prior Association experience as an officer, committee chairperson or having regularly attended membership meetings.
- (c) After obtaining the consent of each nominee, if more than one, a slate of candidates will be presented no later than the April DWHSA meeting.
- (d) Nominations from the floor will be accepted at the April & May DWHSA meetings.
- (e) In the event of a tie, the Executive Board shall vote to determine the outcome.

### Section 2.03 Officer Election

- (a) Elections shall be written ballot, by show of hands, or by 'Aye/Nay' of those members present at the May meeting.
- (b) In the event of a tie, the members present shall vote again by written ballot with the first five votes (or 2/3 votes if 5 votes not present) drawn determining the outcome.

### Section 2.04 Filling Vacancies: Except in the case of recall of an officer pursuant to Section 2.05 of this Article, if a vacancy occurs in any office, the following procedures shall apply:

- (a) A vacancy occurring in any office except that of the President shall be filled for the remainder term by a person elected by a majority vote of those present at the general membership meeting within 45 days.
- (b) The President's term of office shall be completed by the Vice President with the option of becoming president for the succeeding year. If the Vice President is unwilling or unable to fill the presidential duties, a temporary installation may be made at the next general membership meeting.

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Section 2.05 Any officers of the DWHSA 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 III. Duties of the Officers

Section 3.01 President:

- (a) Shall preside at all meetings of the DWHSA and of the Executive Board.
- (b) Shall be the chairman of all committees, ex-officio, except the nominating committee.
- (c) Should attend the DASD Joint Home and School Meetings or assign a representative.

Section 3.02 Vice President

- (a) Shall automatically succeed the president, if so desired.
- (b) Shall perform the duties of the President in his/her absence
- (c) If possible, should attend the monthly School Board meetings and DASD Joint Home and School Meetings or assign a representative.
- (d) Shall assist the President.
- (e). Shall assist the Treasurer in recording and documentation of financial transaction and communications to the board.

Section 3.03 Secretary:

- (a) If more than one person holds the office, the position of Secretary can be split into two separate positions – Recording Secretary and Corresponding Secretary. Descriptions of these positions are as follows.
  - a. Recording Secretary
    - i. Shall keep accurate minutes of all meetings and provide copies of the membership upon request.

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- ii. Shall make a summary of each general meeting for publication on the DWHSA web page, if applicable.
  - iii. Two years of archived minutes and/or agendas will also be posted to the DWHSA web page.
  - b. Corresponding Secretary
    - iv. Shall be available for any association business and correspondences, i.e. thank you notes.
- (b) In the event one person holds the office of Secretary, they will perform the duties of both the Recording and Corresponding Secretaries.

### Section 3.04

Treasurer:

- (a) Shall reconcile bank accounts monthly and report balances to the other Executive board members.
- (b) Shall establish a “check & balance” so all deposits/donations/payments are transparent and shared at each meeting.
- (c) Shall present the financial reports at each meeting and present a full report after all accounts have been finalized.
- (d) Shall keep an accurate account of all receipts and expenditures.
- (e) Shall provide written receipts to donors of contributions in excess of \$50.
- (f) The Treasurer’s accounts shall be reviewed annually, if needed, by an auditor approved by the Executive Board who, satisfied that the treasurer’s annual report is correct, shall sign a statement of that fact.
- (g) Shall present an itemized report of gifts donated by the Association to the school.
- (h) The Treasurer shall oversee the financial aspects of the fundraisers.

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- (i) Shall keep all official records up to date for take purposes, including:
  - a. Filing the annual Form 990 and IRS in accordance with the federal requirements.
  - b. Filing with the Pennsylvania Charities Commission such reports and documentation necessary to establish the Association is an education-related organization and thus exempt from their annual reporting requirements.
  - c. Filing and maintaining with the Pennsylvania Department of Revenue such applications, reports and declarations as are required to obtain, maintain and prove exemption from payment of sales tax.

Section 3.05 The Presidential Advisor:

- (a) Shall be the past President, if so desired.
- (b) Shall serve for a one-year term.

Section 3.06 Any Alternate Position deemed in Section 2.01(a) of this document as 'Board':

- (a) Duties detailed at establishment of position.
- (b) Length of term detailed at establishment of position.

### **Article IV. Executive Board**

Section 4.01 The Executive Board shall consist of the officers of the school association.

Section 4.02 Meetings of the Executive Board may be called by the Executive Board when needed.

Section 4.03 Duties of the Executive Board Shall be:

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- (a) To transact necessary business in the intervals between DWHSA meetings and such other business as may be referred to it by the membership.
- (b) To approve the plans of the work of the standing committees.
- (c) To submit for the membership approval, a budget that shall include the necessary expenses of DWHSA.

### **Article V. Duties of the Standing and Special Committee Chairpersons**

- Section 5.01 Standing committees shall be created as necessary to promote the objectives and carry on the work of the Association.
- Section 5.02 Shall keep the Executive Board apprised of the plans and activities of the committee.
- Section 5.03 Should present plans of work to the Executive Board no later than the month before its planned activity. No committee work shall be undertaken without the approval of the Executive Board.
- Section 5.04 Shall give reports at the monthly meetings, when appropriate.
- Section 5.05 When a committee has completed its task for the year, a final report should be communicated to the board at the next scheduled board meeting. Committees that are active the entire school year shall provide a verbal report prior to the last day of school.

### **Article VI. Meetings and Procedures**

- Section 6.01 Regular meetings of this Association shall be held monthly, if scheduling allows, during the school year, with a minimum of 4 meetings per school year. Changes of time, place and frequency shall be brought before and decided upon by the Association.
- Section 6.02 Special meetings shall be called at the discretion of the President.
- Section 6.03 The Executive Board shall constitute a quorum for the transaction of business in any public meeting of the Association.
- Section 6.04 Any member wishing to discuss a topic before the membership may do so during the "New Business" segment, previous notification to the president is helpful, but

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not necessary. A vote can be taken if needed, with majority rule from the attending membership.

Section 6.05 Officers and committees may meet, confer and take action by telephone, text, conference or electronic mail and any such meetings shall have the same force and effect as if held in person.

### Article VII. Membership

Section 7.01 Anyone who currently has a child attending Downingtown High School West or in the Downingtown Area School District assigned Cyber School affiliated with Downingtown High School West is a member of the Association.

Section 7.02 Members shall be required to accept and abide by the by-laws of this organization.

### Article VIII. Finance

Section 8.01 The fiscal year shall start July 1 and end June 30.

Section 8.02 All financial accounts shall be in the name of both the Treasurer and the President or the Vice President requiring both signatures if total over \$500.00.

Section 8.03 Expenditures over and above the committee budget must have the approval of the Executive Board.

Section 8.04 A currently receipt must be submitted for reimbursement of any monies.

Section 8.05 Books and records of the Treasurer shall be reviewed at the end of the fiscal year.

Section 8.06 An accountant's review shall be held upon the resignation of the Treasurer, at the discretion of the Executive Board, or upon dissolution of the Association.

Section 8.07 Budget

(a) A budget meeting shall be held prior to the beginning of the next school year.

(b) A minimum of funds that will allow the Association to conduct business shall be held in reserve for the following school year.

(c) The proposed budget will be approved by the general membership at the first meeting of the school year.

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### Article IX. Downingtown West Home and School Drug and Alcohol Education Prevention Program (DWHSDAEPP)

Section 9.01 DWHSDAEPP exists under the 501 c3 umbrella of Downingtown West Home & School Association.

- (a) Charitable status (501 c3) shall be maintained at all times
- (b) DWHSA and DWHSDAEPP will share a Treasurer until or if the two above named entities split
- (c) Treasurer will maintain 2 separate bank accounts at all times
- (d) Treasurer will file all tax forms as needed as described in Treasurer Duties in Section 3.04 (a)i.

Section 9.02 DWHSDAEPP Chair will follow the below processes:

- (a) DWHSDAEPP runs under a separate budget and bank account where funds are generated by applying for the PA State Grant, separate from DWHSA fundraising, and donations.
- (b) DWHSDAEPP Chair has been extended the power to sign all needed contracts for the spring event as long as contracts stay within the total budget.
  - a. If contracts exceed the DWHSDAEPP budget, the Chair will consult with the DHSW H&S Board.
- (c) DWHSDAEPP Chair will attend DWHSA meetings with updates on contracts, monies needed and progress as appropriate.

### Article X. Downingtown West Whippet Warehouse

Section 10.01 Downingtown West Whippet Warehouse (DWWW) exists under the 501 c3 umbrella of Downingtown West Home & School Association.

- (a) Charitable status (501 c3) shall be maintained at all times
- (b) DWHSA and DWWW will share a Treasurer until or if the two above



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named entities split

(c) Treasurer will maintain 3 separate bank accounts at all times for each entity: DWHSA, DWHSDAEPP, and DWWW

(d) Treasurer will file all tax forms as needed as described in Treasurer Duties in Section 3.04 (a)i.

Section 10.02 DWWW Liaison will follow the below processes:

(a) DWWW runs under a separate budget and bank account where funds are

generated by applying for grants, selling spirit wear for Downingtown West HS student body and any athletic team, booster or individual entering into a contract with DWWW. If DWHSA provides the spirit wear item(s), DWWW will reimburse DWHSA the cost of the item(s) and split the profit according to a predetermined negotiated percentage.

(b) DWWW will have at least one (1) current DASD employee as representative who works with DSW students to help maintain stock, oversee contracts, oversee the production of items to sell.

(c) DWHS Teacher(s) will have been extended the power to sign all needed contracts for grants, items, contracts/purchases, etc. as long as grants, items, contracts/purchases stay within the total budget as determined by the DWWW bank balance.

a. If contracts exceed the DWWW budget, the DASD Teacher will consult with the DWHSA Board.

(d) DWWW Teacher will either attend DWHSA meetings with updates on contracts, monies needed and progress as appropriate, update prior to DWHSA monthly meeting via email, or send a student representative.

(e) If Whippet Warehouse decides to dissolve relationship with DWH&S, all monies owed to DWH&S will be paid by check and all left over inventory belonging to DWH&S will be returned to DWH&S.

(f) Any remaining monies or inventory not belonging to DWH&S will be given to the Student Activity Fund of DWHS.

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### **Article XI. By-laws**

Section 11.01 By-laws should be reviewed at least every two years by a committee appointed by the Executive Board or by the Executive Board if no committee is able to be formed.

Section 11.02 Amendment shall be passed by a majority vote of those present at any regular meeting of the Association after one month consideration.