

BY-LAWS OF MORGAN ELEMENTARY SCHOOL PTO

Article I Name

The name of this organization shall be the Morgan Elementary School Parent-Teacher Organization, also known as Morgan Elementary PTO.

Article II Articles of Organization

The Morgan Elementary Parent-Teacher Organization exists as an independent, unincorporated, non-profit organization of parents, guardians, teachers, and staff. Its "articles of organization" comprise these bylaws, as from time to time may be amended. These bylaws shall be deemed the articles of association.

Article III Purpose

Morgan Elementary PTO strives to promote a cooperative relationship among parents, teachers, and students in order to enhance the educational environment and experience of its students. The key activities of the organization are to

- a.) Host extracurricular activities that encourage family involvement and community outreach
- b.) Support school activities and increase school spirit
- c.) Support the school staff
- d.) Coordinate volunteer participation to support school programs
- e.) Raise funds for supplemental services, equipment, and supplies.

Morgan Elementary PTO is organized exclusively for educational purposes (**Tax Exempt Status**) within the meaning of Section 501(c)(3) of the Internal Revenue Code or the corresponding section of any future federal tax code.

Article IV Policies

This organization shall be non-commercial, nonsectarian, nonpartisan, and nonprofit. No commercial enterprise shall be endorsed by it. Neither the name of the organization nor the names of its officers in their official capacities shall be used in any connection with a commercial concern or for any purpose other than the regular work of the organization.

The organization shall 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 in attempting to influence legislation by propaganda or otherwise.

This organization shall seek neither to direct the administrative activities of the school nor to control its policies.

This organization may cooperate with other organizations and agencies active in child welfare, such as conference groups or coordination councils, provided its representative makes no commitments, which binds the group he/she represents.

No part of the net earnings of the organization shall inure to the benefit of, or be distributable to its members, officers, or other private individuals except that the organization shall 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 III hereof.

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)(2) of the Internal Revenue Code.

No member of this organization shall profit from their participation in this organization. All registered committee members, including but not limited to board members, committee chairs and co-chairs, and general members (Amended 4/13/2023) will abide by the organization's Conflict of Interest Policy, as well as any state and federal tax laws governing conflict of interest applicable to non-profit and charitable organizations.

Article V Membership and Dues

Section 1. Membership Eligibility. All parents and/or caregivers of students who currently attend Morgan Elementary and all current faculty and staff of Morgan Elementary School shall be eligible for membership in the organization. Members shall have the right to attend and participate in all meetings and activities of the organization, including holding office, making motions, debating, and voting. Members are required to apply for membership to the organization annually. The membership term shall be from July 1-June 30th. New or existing members may apply for membership by submitting a written request or electronic application.

Section 2. Dues. There are no membership dues for the organization.

Article VI Meetings

Section 1. Regular Meetings. Regular meetings of this organization shall be held during the school year unless otherwise called by the organization or by the executive board. The executive board consists of elected officers. Three board members and two members present at any meeting shall constitute a quorum for the transaction of business of the organization.

Section 2. Executive Board Meetings. The executive board may call an executive board meeting at any time deemed appropriate. See Article X. Three Executive Board members shall constitute a quorum for the transaction of necessary business and/or approval of routine bills in the intervals between general membership meetings.

Section 3. Special Meetings. Special meetings may be called by members of the executive board. Notice of the special meeting shall be sent to the members at least 2 days prior to the meeting.

Article VII Nomination and Election of the Executive Board

Section 1. Officers. The executive board of this organization shall consist of the following officers: a president, a vice president, a secretary, and a treasurer. *No officer may hold more than one office at a time, however, an office position can be held by co-officers, except President and Treasurer. (Amended 4/13/2023)*

Section 2. Terms of Office. *The minimum term for all officers is one year with the exception of the PTO President and Treasurer which will be a two-year term. For President and Treasurer, no person unable to serve the full two-year term should be voted into the office unless agreed to by the majority of the current board members and the acting Principal. Officers are limited to a maximum of two consecutive one-year terms (Vice President or Secretary) or one two-year term (President and Treasurer) unless no other candidates are willing to run for that office. Only board members in good standing may run for re-election for additional terms. No officer shall be eligible for the same office for more than four (4) consecutive terms (or 4 years). (Amended 4/13/2023)*

Section 3. Nomination Procedure. Officers of this organization shall be elected in the following manner:

1. These officers shall be elected by ballot at the last organization meeting of the school year, held in May. However, if there is only one candidate for any office, the election may be by voice, through a motion from the floor.
2. Nominations:
 - a.) Nomination forms shall be sent to all members at least one month prior to the election of officers.
 - b.) A nominating committee of three members shall be organized should multiple nominees be submitted for a position, this committee cannot be composed of any existing or outgoing officers or any of the nominees.
 - c.) *The nomination committee will approach any person nominated to obtain their consent to be put forward as a candidate for office. Consent includes:*
 1. *Willingness to be in attendance at all PTO meetings.*
 2. *Willingness and understanding to attend all scheduled meetings with the Principal.*
 3. *Willingness and understanding that separation of personal beliefs from their duties as a member of the PTO Executive Board.*
 4. *Willingness and understanding that their role on the PTO Executive Board may interfere with personal involvement in PTO events. This means additional time prior to, during, and following events, and may result in late evenings. (Amended 4/13/2023)*
 - d.) A speaker for the nominating committee shall report at the election meeting the name(s) of the candidate(s) for each office to be filled.
 - e.) Voting shall be limited to PTO members only. A list of members shall be given to the nominating committee to check the validity of the votes.
3. *An absentee ballot will be sent electronically to all registered PTO members for the current school year to allow for those who may not be able to physically attend the last regular meeting so they can submit their vote. The ballot will be sent out on the morning of the last regular meeting by 7:30 AM EST and all votes must be filed by 6:00 PM EST that same day to be counted. (Amended 4/13/2023)*
4. *In case of a tie, the current year registered PTO members that are in attendance at the last regular PTO meeting will take a paper ballot revote that same evening. (Amended 4/13/2023)*

Section 4. Oath. The newly elected officers shall be sworn in at the election meeting. Elected officers shall raise their right hand as the presiding president, principal or school board member administers the following oath.

Do you promise to try to bring the home and the school into closer relation so that parents and teachers may cooperate in the welfare and educating of the children?

Newly elected officers respond: I do.

Do you promise to try to develop united efforts between the educators and the general public, to secure for every child the highest advantages in physical, mental, and spiritual education?

Newly elected officers respond: I do.

Section 5. Vacancies. A vacancy occurring in any office shall be filled by a majority vote of all remaining members of the executive board. If the office of President becomes vacant, the Vice President shall assume the duty for the remainder of the school year, or until the office is filled. The new officer shall be sworn in at the next regular meeting.

Sections 6. Removal from Office. With just cause *or failure to fulfill his/her duties*, an officer or essential committee chairperson may be removed from office by a majority vote of the PTO Executive Board. *In case of a tie, the Principal is the final decision maker.* (Amended 4/13/2023)

Article VIII Duties of the Officers

The executive board develops the PTO's annual budget, establishes and oversees committees to conduct the work of the PTO, establishes fundraising programs, and approves by a majority vote of the Board unbudgeted expenditures of no more than \$500.00. All expenditures over \$500.00 must be brought to the PTO General Meeting for quorum voting. (Amended 4/13/2023)

a. President. *The president shall:*

- *Reside at all meetings of the organization and of the executive committee*
- *Serve as the official representative of the PTO, be a member ex officio of all the committees except the nominating committee*
- *Perform all other duties usually pertaining to the office*
- *Manage communications for the PTO, including, but not limited to communication between the board and PTO members, staff and principal, marketing for the PTO, email broadcasts, etc*
- *Prepare agendas for official PTO meetings*
- *Prepare the annual PTO calendar by the first general meeting of the year*
- *Assist in the total coordination of all committees and the PTO as a whole*
- *Sign checks, notes, etc. in the absence of the Treasurer*
- *Appoint Special Committees as needed*
- *Announce PTO meetings to the school population at least one (1) week in advance of a meeting*

b. Vice-President or Co-Vice Presidents. *The vice president shall:*

- *Act as an aide to the President*
- *Perform the duties of the President in the absence of that officer, resignation, or inability to serve*
- *Be the coordinator between the executive board and the chairpersons of the essential fundraising projects*
- *Develop and coordinate periodic social and other non-fundraising events for school families - such as Trunk or Treat and Family Skate Night*
- *Responsible for maintenance, inventory, distribution, and collection of all equipment owned by the PTO*
- *Perform other duties as determined by the Executive Board*

c. Secretary. *The secretary shall:*

- *Keep a record of all meetings of the organization and of the executive committee*
- *Perform such other duties as may be delegated to the secretary*

d. Treasurer. *The treasurer shall:*

- *Receive all monies of the organization*
- *Shall keep an accurate record of receipts and expenditures*
- *Shall pay out local funds only as authorized by the executive board or the organization*
- *Present a statement of the account at every meeting of the organization and at any other time of request by the executive board, and make a full report at the end of the year*
- *Shall work with the preferred accountant to prepare federal tax forms as required by the IRS and submit them by November 15th of each year (Amended 4/13/2023)*

All outgoing officers shall relinquish all PTO-associated passwords (and documentation) within their possession within 30 days from the end of the PTO's fiscal year (June 30th) and new officers shall change all passwords as soon as possible.

See article X for additional duties of officers and committee chairpersons.

Article IX Finances

Section 1 Fiscal Year. The fiscal year of Morgan Elementary PTO shall be from **July 1 through June 30**.

Section 2. Accounts. All funds shall be kept in checking and/or savings accounts in the name of Morgan Elementary PTO and held at a local financial institution. Two officers shall be signers for the account. Electronic statements of the accounts shall be accessible through online banking through the Financial Institutions website.

Section 3. Budget. Spending of organization funds shall be submitted for approval by members at regular meetings of the organization. However, in the absence of a meeting, decisions on spending shall be made by the members of the board, or at least by the president and one other board member. If the amount exceeds \$500, the executive board must call a special meeting unless in the utmost emergency circumstances, then it must be a unanimous decision amongst the Executive Board. An emergency circumstance would entail where only the Executive Board is available to meet.

Section 4. Expenses. *Reimbursements for all approved expenses shall be made only after receipts for all the expenditures have been audited, documented with a reimbursement form filled out, and approved by the Treasurer that the corresponding expense matches the line item on the Annual Budget. Reimbursement requests should be submitted to the PTO Treasurer within thirty (30) days of the incurred expense or by three (3) weeks prior to the end of the fiscal year, whichever comes first and must be accompanied by a receipt, or the request may be denied and seen as a donation to the organization. (Amended 4/13/2023)*

Section 5. Availability of Records. IRS Form 1023 and copies of the organization's annual information returns (IRS Form 990 or 990EZ) for the most recent three years shall be made available for public review.

Section 6. Officer Transition. The incoming and outgoing Treasurer must make themselves available to sign and record the transfer of bank account and financial records. *The outgoing Treasurer shall prepare documents and files needed for the taxes for their last year of office, not to leave this duty to the new officer who was not responsible for the previous fiscal year. (Amended 4/13/2023)* Financial records include bank account records, outstanding debt records, history of all transactions, receipts, and tax information.

Article X Executive Committee

Section 1. Membership. The executive committee shall consist of the officers of the organization and the principal of the school or a representative appointed by him/her.

Section 2. Term. The members of the executive committee shall serve until their successors are elected or appointed.

Section 3. Duties. Duties of the executive committee shall be:

1. To transact any necessary business during intervals between regular organization meetings; and such other business as may be referred to it by the organization.
2. To present a report of projects and activities at the regular meetings of the organization.
3. To approve routine bills within the limits of the budget.
4. To appoint an auditing committee to work with the preferred accountant to audit the records of accounts kept by the treasurer, should the preferred accountant request an audit.
5. To fill vacancies of elected positions.

Article XI Additional Committees

Section 1. Essential Committees. Essential committees shall be created by the executive board as may be required to promote the objective and interests of this organization. The president, the vice president, and the principal of the school shall select the chairpersons of the committees. Their term shall be one year.

Section 2. Special Committees. The power of forming special committees and appointing their members rests with the organization unless the bylaws make other provisions, or unless the organization delegates this power to the executive committee or to the president. A special committee is created and appointed for a specific purpose. When its work is done and its final report has been accepted or adopted, it automatically goes out of existence.

Article XII Amendments

These bylaws may be amended at any regular meeting of this organization by a two-thirds (2/3) vote of the members present and voting, provided the purpose of the amendment has been agreed upon at a meeting of the executive committee.

Article XIII Dissolution

Section 1. Procedure. The organization may be dissolved with previous notice (14 calendar days) and a two-thirds vote of those present at the meeting.

Section 2. Funds. In the event of the dissolution of this organization, after all, debts have been satisfied, remaining funds shall be donated to Morgan Elementary, so long as the school is exempt under section 501(c)(3) at the time of dissolution. If the school ceases to exist or is no longer tax-exempt under section 501(c)(3), remaining PTO assets shall be distributed for one or more exempt purposes within the meaning of section 501 (c) (3) of the Internal Revenue Code, or corresponding section of any future federal tax code, or shall be distributed to the federal government, or to a state or local government, for a public purpose.

Article XIV Parliamentary Authority

Robert’s Rules of Order Revised shall govern this organization in all cases to which they are applicable.

The foregoing is the accepted revision of the original bylaws of the Morgan Elementary School Parent-Teacher Organization.

The original version of the organization bylaws was submitted to the members of the organization for approval on November 10, 1970, and was approved and accepted.

A substantial revision of the organization's bylaws was approved by the organization on June 6, 1978.

A revision of the organization's bylaws was approved by the organization on March 14, 1984.

A revision of the organization's bylaws was approved by the organization on May 14, 1991.

A revision of the organization's bylaws was approved by the organization on May 13, 2002.

A revision of the organization's bylaws was approved by the organization on March 15, 2005.

A substantial revision of the organization's bylaws was approved by the organization on January 18, 2011.

A substantial revision of the organization's bylaws was approved by the organization on May 9, 2019.

A substantial revision of the organization's bylaws was approved by the organization on February 4, 2021.

A substantial revision of the organization's bylaws was approved by the organization on April 13, 2023.

Signed: Sara Schoenecker 4-13-23 Abby A. Payne 4-13-23
 Sara Schoenecker, Morgan Elementary PTO President 2022-2023 Abby Payne, Morgan Elementary PTO Vice President 2022-2023