

WESTCHESTER PTO BY-LAWS

ARTICLE I: Name

The name of this organization shall be Westchester Parent/Teacher Organization (PTO).

ARTICLE II: Purpose

The purpose of this PTO shall be to aid the students and staff of Westchester Elementary School by providing support for their educational and recreational needs and to promote open communication and foster relationships between the administration, staff, parents, students and the community. It shall not seek to direct the technical activities of the school or to control its policies. This PTO shall be non-commercial, non-sectarian, and non-partisan. This PTO shall not endorse any particular political issue. The name of the organization or its Officers in their official capacities shall not be used in connection with a commercial concern, or with any partisan interest, or for other than the regular work of the PTO.

ARTICLE III: Membership

SECTION I – Defined: All parents and guardians of a student attending Westchester Elementary, and all members of the administrative and teaching staff of Westchester Elementary are automatically members (“Members”) of the PTO.

SECTION II – Voting Rights: All Members of the PTO shall have voting rights at Regular Board meetings, so long as they are willing to uphold the policies of the PTO and abide by its By-Laws. To vote, the Member must be present at the Regular Board meeting and shall be entitled to one vote. The majority shall rule in all cases with the exception of amendments to these by-laws as stated in Article X.

SECTION III – Scope: The active membership year shall be from the beginning of each school year to the beginning of the next school year (from approximately August 20th to August 19th). Persons representing the PTO have no authority to enter into contractual or financial commitments with the exception of the PTO President or as otherwise authorized in writing by the PTO President.

ARTICLE IV: Officers, duties and elections

SECTION I - Officers and their duties: The Officers shall be the President, Vice-President/President Elect, Secretary, Treasurer and Vice-Treasurer. All Officers shall be parents or guardians of students enrolled at Westchester Elementary. The President shall be elected for a term of one year and shall be ineligible for more than two terms in the same office. Any position may be held by more than one parent, with each parent retaining voting privileges.

- a. **President:** The President shall preside at all meetings of the PTO; shall be a member ex-officio of all committees; shall appoint special committees, and perform all other duties usually pertaining to the office.
- b. **Vice President/President-Elect:** The Vice President/President-Elect shall act as aide to the President and perform the duties of President in his/her absence. The President-Elect will assume a two-year commitment: the first year as President-Elect and moving to the President’s role for the second year.

- c. **Secretary:** The Secretary shall keep a record of all meetings of the PTO and shall perform such other duties as may be delegated to him/her.
- d. **Treasurer:** The Treasurer shall receive all monies of the PTO; shall keep an accurate record of the receipts and expenditures; and shall pay out funds as authorized by the PTO or the Executive Board. The Treasurer shall present an annual budget at the beginning of the school year, a statement of account at every meeting and a full report at the year-end meeting. The Vice-Treasurer will assume a two-year commitment: the first year as Vice-Treasurer, assisting the Treasurer in fulfilling their duties and Treasurer-Elect and moving to the Treasurer's role for the second year.

SECTION II - Nominations: At the Regular Board meeting scheduled for April, the Executive Board shall present a slate of candidates for the Officers for the following PTO year. At that meeting, nominations may also be taken from the floor. If there are no further nominations, a vote shall be by voice vote. If more than one person is running for an office, a ballot vote shall be taken and the new Officers shall be announced at the May Regular Board meeting. The duties of the Officers shall be assumed at the close of the last Regular Board meeting of the school year.

SECTION III - Vacancies: If there is a vacancy in the office of President, the Vice President shall become the President. Any other vacancy occurring in an office shall be filled by a joint recommendation of the President and Principal, with Executive Board approval.

SECTION IV - Removal from Office: Officers can be removed from office by a two-thirds vote of those Member present (assuming a quorum) at a Regular Board meeting where previous notice has been given.

ARTICLE V: Meetings

SECTION I - Regular Board meetings: Regular Board meetings shall be scheduled monthly August through June at Westchester, with additional meetings to be determined by the Executive Board as needed. The Executive Board will determine, at least one month prior to the school year, the time and place for the Regular Board meeting(s) of the PTO. All Regular Board meetings will be posted on the Westchester Elementary website and will be open to all Members.

SECTION II - Special Meetings Special meetings may be called by the Executive Board.

SECTION III - Quorum The quorum shall be five Members of the PTO to include at least three Officers.

SECTION IV - Parliamentary Authority: Robert's Rules of Order Newly Revised shall govern this PTO in all cases to which they are applicable and in which they are consistent with these by-laws.

ARTICLE VI: Appointments

SECTION I - Teacher Representative: A teacher representative shall be appointed by the Principal act as a liaison between staff and PTO.

SECTION II – Committee Chairpersons: Committee Chairpersons shall be appointed by the Executive Board and shall execute the tasks and responsibilities of their function. Chairpersons may serve for a term of up to two years as the chair of any single committee. At the conclusion of the two year term, the chairperson may serve an additional year for a maximum of three years if no other candidate is presented prior to the conclusion of the school year.

ARTICLE VII – Executive Board:

SECTION I – Membership: The PTO Executive Board shall consist of the Officers, the immediate Past President and the Principal. Only the Officers shall have voting rights at Executive Board meetings. The immediate Past President and Principal shall serve as ex-officio members of the Executive Board and shall not vote at Executive Board meetings.

SECTION II – Duties: The duties of the Executive Board shall be to transact business between Regular Board meetings in preparation for such meetings, create standing rules and policies, create standing and temporary committees, prepare and submit a budget to the membership, plan and coordinate fundraising activities, approve routine bills, and prepare reports and recommendations to the Members.

SECTION III - Committees: Committees shall be created by the Executive Board as may be required to promote the purpose of the PTO. The Chairperson of the committee shall recruit additional committee members and volunteer helpers.

ARTICLE VIII - Finances

SECTION I – Financial Model: This PTO follows the Kirkwood School District Financial Model. See attached Policy “A.”

SECTION II - Budget: A tentative budget shall be drafted in the summer prior to each school year and approved by a majority vote of the Members present at the first Regular Board meeting of the school year. A majority vote is necessary to amend the budget.

SECTION III – Records: The Treasurer shall keep accurate records of any disbursements, income and financial account information.

SECTION IV – Expenses: The Executive Board shall approve all expenses of the organization. Expenses should be voted on and approved by the members at a Regular Board meeting. The following exception applies: a majority of the Executive Board may approve expenses of \$500.00 or below which are outside of pre-approved event budgets.

SECTION V – Signatures: All checks must have two signatures before the check can be dispersed.

ARTICLE IX – Conflicts of Interest Policy:

SECTION I – Purpose of Policy: The purpose of the conflict of interest policy is to protect this tax-exempt organization’s interest when it is contemplating entering into a transaction or arrangement that might benefit the private interest of an Officer of the organization or might result in a possible excess benefit transaction. This policy is intended to supplement but not replace any applicable state and federal laws governing conflict of interest applicable to nonprofit and charitable organizations. This PTO follows the Kirkwood School District policies on conflicts of interest. See attached Policy “B.”

SECTION II – Compliance with Federal Exemption laws: This PTO shall comply with all laws pertaining to Federal exemption status pursuant to Section 501(c)(3) status of the Internal Revenue Code. This PTO shall comply with requirements of receiving tax-exempt contributions pursuant to Section 170(c)(2) of the Internal Revenue Code. This PTO shall be organized and operated exclusively for exempt purposes. No part of the net earnings of the PTO shall inure to the benefit of, or be distributable to its members or officers or other private persons, except that the Executive Board shall be authorized and empowered to pay reasonable compensation for services rendered and to make payments and distributions in furtherance of the purposes in Article II. In addition, it shall not attempt to influence legislation as a substantial part of its activities and it may not participate in any campaign activity for or against political candidates.

SECTION III- Dissolution: Upon the dissolution of the organization, any remaining funds shall be used to pay any outstanding bills and with membership approval, shall thereafter be spent for the benefit of the school. All major assets shall be distributed for one or more exempt purposes within the meaning of section 501(c)(3) of the Internal Revenue Code.

ARTICLE X – Amendments: These By Laws may be amended at any Regular Board meeting by a two-thirds majority vote of the Members present provided notice of the proposed amendment was given at a previous meeting, with time for comment and discussion before vote.