

Utica Elementary & Middle School Parent-Teacher Organization

Utica, Mississippi

Bylaws

Article I: Name, Description, Purpose, Objectives

Section 1: Name. The name of this organization shall be the **Utica Elementary & Middle School Parent-Teacher Organization**; herein referred to as the PTO.

Section 2: Description. The PTO is a non-profit organization that exists for charitable educational, and scientific purposes, including the making of distributions to organizations that qualify as exempt organizations under section 501(c) (3) of the Internal Revenue Code.

Section 3: Purpose. The purpose of the PTO is to enhance and support the educational experience at **Utica Elementary & Middle School**, to develop a closer connection between school and home by encouraging parental involvement, and to improve the environment at **Utica Elementary & Middle School** through volunteer and financial support.

Section 4: Objectives.

The objectives of this PTO are:

- (a) To promote the welfare of children and youth school, home, and community;
- (b) To bring into closer relation the home and the school, that parents and teachers may work together cooperatively;
- (c) to aid the school financially in securing additional funding for materials, supplies, etc., to supplement programs for the education of the child and improvements of the facility,
- (d) To develop between educators and the general public united efforts, as will secure for every child the highest advantages in physical, mental, and social education.
- (e) To work with the school to address any safety concerns to ensure safe access to the school building and grounds

Article II: Membership

Section 1: Membership shall be extended to all parents, guardians of student(s) at Utica Elementary & Middle School, all currently employed faculty and staff at the Utica Elementary & Middle School, plus community members of the Utica Elementary & Middle School. Membership in PTO shall be available without regard to race, color, creed, religion, or national origin. Members in good standing (regular meeting attendance and payment of dues) have voting privileges.

Section 2: Membership dues are established by the PTO Board Officers. A member must have paid his/her dues on or before the meeting to be considered a member in good standing with voting rights. Each individual member of PTO shall have one (1) vote. Bi-annual enrollment of members (September & January), shall be conducted, but persons may be admitted to membership at any time.

Article III: Officers

Section 1: Executive Board Officers. The PTO shall be governed by an Executive Board which shall consist of the following officers: President, Vice President, Secretary, and Treasurer. Officer positions can be shared. The school principal, or his/her designee, is a voting member of the Executive Board.

Section 2: Terms of Service. Officers are elected for one executive board year and may serve as many terms as elected according to standard election rules, given that the officer has worked towards the advancement of the school and student achievement. An Executive Board year is defined as beginning on July 1 of one year and ending on June 30 of the following year. Elections are to be held the last official PTO meeting of the school year.

Section 3: Eligibility. Any PTO member in good standing may become an officer of the PTO.

Section 4: Attendance. Each officer shall attend the Executive Board, Executive Committee, and regular PTO meetings. Board meetings will be held the Thursday evening prior to the scheduled monthly PTO meeting.

Section 5: Officer Vacancy. In the event of an unexpected vacancy occurring on the Executive Board, it shall be announced to the members of the PTO at the next regular meeting. Those persons interested in filling the vacancy should contact the Executive Board. After consideration of the candidates, the Executive Board shall vote to fill the vacancy. Any vacancy of a particular office may be filled from within the existing Executive Board.

Section 6: In the event the PTO fails to fill an Officer position(s) at the end-of-year PTO meeting, the incumbent of the expiring term may remain in office for only one (1) additional year or until an election of a new officer takes place in the next school year.

Section 7: Contracts & Purchasing. No Officer shall secure any contract in the name of the PTO without the approval to do so by vote of the Executive Board. Any approved purchases must be made within the budgetary restrictions.

Section 8: Committee Service. Each Officer will serve on at least one (1) committee.

Section 9: Removal from Office. Any Officer can be removed by a two-thirds vote at a regular PTO meeting. Advance notice of the vote shall be given to the PTO membership at least one (1) week prior to the meeting.

Section 10: Officer Duties.

- I. The *President* shall:
 - (a) Preside over all meetings of the PTO, i.e., Executive Board, Executive Committee, and all regular meetings.
 - (b) Prepare each meeting's agenda
 - (c) Prepare the annual PTO calendar by the first general meeting of the year. Be a member, ex officio, of all committees, except the Nominating Committee.

- (d) Represent the PTO at county-wide meetings or other meetings outside the organization.
 - (e) Assist in the total coordination of all committees and the PTO as a whole.
 - (f) Sign checks, notes, etc. in the absence of the Treasurer.
 - (g) Appoint Special Committees as needed.
 - (h) Announce PTO meetings to the school population at least one (1) week in advance of that meeting.
- II. The ***Vice President*** shall:
- (a) Perform the duties of the President in his/her absence, resignation, or inability to serve.
 - (b) Responsible for assisting in the planning and organizing all regular PTO meetings, which will be held every month beginning September 1.
 - (c) Assist the Chairpersons of each Committee as needed.
 - (d) Research, write, and solicit education grants, as needed.
- III. The ***Secretary*** shall:
- (a) Maintain a correct written record of all meetings of the PTO, Executive Board, and Executive Committee.
 - (b) Care for and maintain all records of the PTO, including contracts, correspondence, transactions, and related documents.
 - (c) Record the minutes of the meetings of the Executive Board, Executive Committee, and PTO and forward copies to each Executive Board member within two (2) weeks of the recorded meeting. A copy should be given/mailed to each 4 board member and to the website administrator to place on the school's website.
 - (d) Circulate the minutes from the preceding regular PTO meeting at each monthly PTO meeting.
 - (e) Maintain organized records from the planning of any event hosted by the PTO. These records should be kept in a secure location, should be made available, upon request, to any Committee Chair planning a similar event, and turned over to the next Secretary to hold this position.
 - (f) Attend to any official correspondence of the PTO, including, but not limited to, thank you notes and notes of sympathy on behalf of the PTO.
 - (g) Hold a copy of the PTO Bylaws and current Membership list and make available, upon request, to any PTO member at any PTO or Executive Board meeting.
 - (h) Provide a printed copy of these Bylaws to each newly elected Executive Board member prior to the first regular PTO meeting.
- IV. The ***Treasurer*** shall:
- (a) Act as a custodian of all funds and perform banking activities of the PTO.
 - (b) Maintain an accurate record of receipts and expenditures
 - (c) Shall pay out funds in accordance with the approved budget, or with the expressed approval of the Executive Board.
 - (d) Shall remove all monies from school grounds at least every two (2) weeks, to be counted and deposited in the PTO account.

(e) Present a written and oral financial report at each PTO and Executive Board meeting and at other times upon request by the Executive Board.

(f) Audit all invoices and receipts submitted for payment or reimbursement to ensure each request is in compliance with PTO policies.

(g) Complete all financial updates and make a full year-end report at the final meeting.

* The Treasurer's accounts shall be audited annually. An auditor or an auditing committee shall be appointed by the Executive Board at least two (2) weeks before the final meeting.

V. **All officers** shall:

(a) Perform the duties outlined in these bylaws and those assigned from time to time; and

(b) Deliver to their successors, all official material no later than July 1 of the following school year.

Section 11: The Executive Board shall appoint at least one chairperson (coordinator) for each standing committee and shall have the power to establish additional standing committees deemed necessary and to create special committees as needed.

Article IV: Meetings

Section 1: Regular Meetings of the PTO. A regular meeting of the PTO shall be held on the first (1st) Thursday of every month at 6:00 p.m., beginning September 1, except during the summer break, unless otherwise noted by the organization, or Executive Board (i.e., inclement weather). Dates and times of the monthly meetings shall be presented by the President at the first regular meeting of the school year. A PTO meeting shall consist of a business meeting to include a work session if needed to accomplish the goals of the PTO. Special meetings may be called by the Executive Board.

Section 2: Executive Board Meetings. A board meeting shall be held monthly, the week prior to the scheduled general PTO meeting.

Section 3: Volunteer/Committee Meetings. Volunteer/committee meetings shall be held throughout the year and can be called at any time during the school year by the Volunteer/committee Chairperson or PTO President. Volunteer/committee meetings will be held alternately during the evening/day to accommodate and reach a larger volunteer basis. These meetings will be led by the Volunteer/committee chairperson, or the President in his/her absence. The meetings are used to communicate about upcoming events and activities, and to inform volunteers of general school information. Each meeting will consist of a summary of past, current, and future business.

Section 4: Quorum. At least 10% (ten percent) of the PTO membership shall constitute a quorum. A quorum must be met in order for any vote to take place.

Section 5: The final PTO meeting shall take place at the end of April, as to not interfere with the completion of standardized testing and the close of the school year in May. The final Executive Board meeting will take place in May, prior to the close of school.

Section 6: The newly elected Executive Board shall meet at least once between July 1 and the first PTO meeting of the upcoming fiscal year for the purposes of preparing a balanced budget proposal which shall be presented at the first regular PTO meeting of the school year. A vote shall be taken at the first regular PTO meeting to accept the Executive Board's proposed budget.

Article V: Executive Committee.

Section 1: The Executive Committee shall consist of the officers of the PTO, the Principal, the chairpersons (coordinators) of standing committees, and a teacher representative. The members of the Executive Committee shall serve until their successors are elected or selected.

Section 2: *Executive Committee* duties shall be:

- (a) To transact necessary business in the intervals between organization meetings and such other business as may be referred to it by the PTO;
- (b) To approve the plans of work of the standing committees;
- (c) To present a report at the regular meetings of the PTO;
- (d) To prepare and submit to the PTO for approval a budget for the school year

Section 3: Regular meetings of the Executive Committee shall be held at least once before each regular PTO meeting and more often as deemed necessary. A majority of those present shall constitute a quorum. Special meetings of the Executive Committee may be called by the President or by a majority of the members of the Committee.

Article VI: Standing Committees.

Section 1: The following committees shall exist, but are not limited to: Fundraising, Membership, Events, Spirit, Promise, and Athletics.

Section 2. The **Fundraising** Committee shall be led by the Fundraiser Chairperson. The Coordinator shall:

- (a) Research options, plans, and anticipated profits and expenses for any fundraising projects and present suggestions to the Executive Board.
- (b) Prepare and execute fundraising projects as approved by the Executive Board.
- (c) Solicit volunteers to assist with each fundraiser.
- (d) Report all fundraising activities, expenses, and profits for each PTO meeting.
- (e) Maintain planning records of each fundraiser and pass these along to the Secretary for permanent record keeping.
- (f) Shall work closely with sub-committee coordinators for Box Tops for Education, etc.

Section 3: Membership

- a) Set up school Open House membership drive – 1st 9 weeks of school
 - b) Send letters home inviting membership to PTO
 - c) Input results into database
 - d) Follow-up membership drive at first PTO meeting
- Nomination Committee

- a) Send letters to all parents at least four weeks prior to the last PTO meeting of the school year
- b) Ask for volunteers to serve as officers for the following year
- c) Obtain the consent of each nominee prior to his/her name being placed in nomination
- d) Send a list of nominees to all parents at least two weeks prior to the last PTO meeting of the year – present for a vote to PTO membership

Section 4: Spirit

- a) This Spirit Committee members plan and implement fun and engaging activities to promote Utica Elementary/Middle School spirit and foster a school and community culture of Utica Ranger Promotions. This committee will oversee such activities as Spirit Days, Parades, Fall Harvest, creating and building displays in the town of Utica, among many other ideas that the committee deems suitable along with the administration.
- b) Create a budget for funds, for “edutainment”
- c) To assist the school administration in providing assembly programs and workshops for our students several times throughout the school year.
- d) Work closely with the Principal to arrange the assemblies; the space and materials needed.

Section 5: Promise

- a) The Promise committee works to ensure the vision and mission of the school and district are being upheld.

Section 6: The chairperson (coordinator) of each committee shall be appointed by the Executive Board. An Officer may also act as a Coordinator of a Standing Committee.

Section 7: Each chairperson (coordinator) shall keep a written record of the activities of his/her committee in a manner that would allow these records to be passed along to future Coordinators. These records should be turned over to the Secretary who will maintain a comprehensive file/notebook of all events by the PTO and make them available to future Coordinators.

Section 8: Terms of Service. A person may not serve as a chairperson (coordinator) of the same committee longer than two (2) consecutive years.

Section 9: Attendance. Chairpersons (coordinators) shall attend Executive Committee and regular PTO meetings to report on the activities of their respective committees.

Article VII: Policies

Section 1: The PTO shall cooperate with other school PTOs to support the improvement of education in ways that will not interfere with administration of the schools and shall not seek to control their policies.

Section 2: The PTO may cooperate with other organizations and agencies concerned with child welfare, but person representing the organization in such matters shall make no commitments that bind the organization without approval of the membership under the voting guidelines set forth in these bylaws.

Section 3: Funds Use. PTO funds shall be used for programs, events/activities, and items that directly benefit the students of the School; with the exceptions of the annual Teacher Appreciation gifts/candy grams and staff holiday gifts, etc. No monies are to be paid out of the account without notification and approval of the president and vice president.

Section 4: Income. All funds raised by the PTO must be documented and submitted to the PTO Treasurer within ten (10) days of receipt. All funds received by the Treasurer must be deposited into the PTO bank account within four (4) days of receipt by the Treasurer. Separate deposit receipts should be maintained for funds received from unique fundraising events, should those occur. This information shall be noted in the monthly treasurer's report.

Section 5: Expenses. Reimbursements for all expenses shall be made only after receipts for the expenditures have been audited, documented, and approved by the PTO Treasurer. Reimbursement requests should be submitted to the PTO Treasurer within thirty (30) days of the incurred expense or by the three (3) weeks prior to the end of the fiscal year, whichever comes first, and must be accompanied by a receipt. Any cash advance to cover expenses prior to a purchase must be documented in detail. All unused funds must be returned to the PTO Treasurer immediately following the purchase.

Section 6: Reporting. An updated financial report shall be made available in printed form to each PTO member at each PTO meeting. A copy will also be placed in the PTO Financial notebook, president and secretary's records. The school and PTO should work in cooperation with each other to ensure transparency of financial needs and expectations. A copy of all receipts and the bank statement must be presented monthly for approval and adoption.

Section 7: Balance. A balance of no less than \$500 must be kept in the PTO bank account at all times.

Article VIII: Parliamentary Authority

Section 1: Rules. The rules contained in Robert's Rules of Order shall govern the PTO in all cases in which they are applicable and in which they do not conflict with these Bylaws.

Section 2: Amendments. These Bylaws may be amended at any regular meetings of the organization by a two-thirds vote of the members present and voting, providing that previous notice was given prior to the meeting to the PTO Executive Board. A quorum of 10% (ten percent) of the total membership shall be required.

Section 3. Majority Rules. Any officer and/or member in good standing may bring a motion to vote upon. Majority voting will win the vote.

Article IX: Conflict of Interest Policy

Section 1. Purpose. The purpose of the conflict of interest policy is to protect this 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.

Section 2. Definitions.

a. Interested Person. Any director, principal officer, or member of a committee with governing board delegated powers who has a direct or indirect financial interest, as defined below, is an interested person.

b. Financial Interest. A person has a financial interest if the person has, directly or indirectly, through business, investment, or family:

i. An ownership or investment interest in any entity with which the organization has a transaction or arrangement;

ii. A compensation arrangement with the organization or with any entity or individual with which the organization has a transaction or arrangement; or

iii. A potential ownership or investment interest in, or compensation arrangement with any entity or individual with which the organization is negotiating a transaction or arrangement. "Compensation" includes direct and indirect remuneration as well as gifts or favors that are not insubstantial.

A financial interest is not necessarily a conflict of interest. Under Section 3b, a person who has a financial interest may have a conflict of interest only if the appropriate governing board or committee decides that a conflict of interest exists.

Section 3. Procedures.

a. Duty to Disclose. In connection with any actual or possible conflict of interest, an interested person must disclose the existence of the financial interest and be given the opportunity to disclose all material facts to the directors and members of committees with governing board-delegated powers who are considering the proposed transaction or arrangement.

b. Determining Whether a Conflict of Interest Exists. After disclosure of the financial interest and all material facts, and after any discussion with the interested person, he/she shall leave the governing board or committee meeting while the determination of a conflict of interest is discussed and voted upon. The remaining board or committee members shall decide whether a conflict of interest exists.

c. Procedures for Addressing the Conflict of Interest.

i. An interested person may make a presentation at the governing board or committee meeting, but after the presentation, he/she shall leave the meeting during the discussion of, and the vote on, the transaction or arrangement involving the possible conflict of interest.

ii. The chairperson of the governing board or committee shall, if appropriate, appoint a disinterested person or committee to investigate alternatives to the proposed transaction or arrangement.

iii. After exercising due diligence, the governing board or committee shall determine whether the organization can obtain, with reasonable efforts, a more advantageous transaction or arrangement from a person or entity that would not give rise to a conflict of interest.

iv. If a more advantageous transaction or arrangement is not reasonably possible under circumstances not producing a conflict of interest, the governing board or

committee shall determine by a majority vote of the disinterested directors whether the transaction or arrangement is in the organization's best interest, for its own benefit, and whether it is fair and reasonable. In conformity with the above determination, it shall make its decision as to whether to enter into the transaction or arrangement.

d. Violations of the Conflict of Interest Policy.

- i. If the governing board or committee has reasonable cause to believe a member has failed to disclose actual or possible conflicts of interest, it shall inform the member of the basis for such belief and afford the member an opportunity to explain the alleged failure to disclose.
- ii. If, after hearing the member's response and after making further member has failed to disclose an actual or possible conflict of interest, it shall take appropriate disciplinary and corrective action.

Section 4. Records of Proceedings. The minutes of the governing board and all committees with board delegated powers shall contain:

- a. The names of the persons who disclosed or otherwise were found to have a financial interest in connection with an actual or possible conflict of interest; the nature of the financial interest; any action taken to determine whether a conflict of interest was present; and the governing boards or committee's decision as to whether a conflict of interest in fact existed.
- b. The names of the persons who were present for discussions and votes relating to the transaction or arrangement; the content of the discussion; including any alternatives to the proposed transaction or arrangement; and a record of any votes taken in connection with the proceedings.

These bylaws were brought before the general body for review and vote, January 23, 2018.

_____ President, Darren Howard

_____ Vice-President, Vacant

_____ Secretary, Karla D. Turner-Bailey, Ph.D.

_____ Treasurer, Melva Burks

_____ Principal, Willis Smith, Ph.D.