

## **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 is an independent, unincorporated, non-profit organization of parents, guardians, teachers and staff. Its "articles of organization" comprise these bylaws as from time to time 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 within the meaning of Section 501(c)(3) of the Internal Revenue Code or corresponding section of any future federal tax code.

### **Article IV Policies**

This organization shall be non-commercial, nonsectarian and nonpartisan. 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.

All PTO officers and essential committee chairpersons 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 or renew membership to the organization annually. Membership term shall be July 1-June 30<sup>th</sup>. New or existing members may apply for membership by submitting a written request or electronic application (Amended 5/10/2019)

**Section 2. Dues.** There are no membership dues for the organization (Amend 5/10/2019).

## **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 the 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 anytime 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. (Amended 2/4/2021)*

## **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.



**Section 2. Terms of Office.** *Officers shall serve a term of one year and shall remain in office until their successors are elected. No officer shall be eligible for the same office for more than four (4) consecutive terms (or 4 years). (Amended 2/4/2021)*

**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. 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. (Amended 2/4/2021)*
  - c.) The consent of each candidate must be obtained before his or her name is placed in nomination.
  - d.) A speaker for the nominating committee shall report at the election meeting and 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. For those members who cannot attend the last regular meeting there will be an absentee ballot to be filled out in the school office election day with a signature to validate membership.
4. In case of a tie, there will be another vote taken within four calendar days. The election will be processed under the guidelines outlined in the PTO by-laws, with one exception; the election will be decided using a ballot box in the school office with a voter registration and a validation of membership. The hours for voting will be 7:30 a.m. to 3:30 p.m.

**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? (Amended 2/4/2021)*

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. (Amended 1/18/2011)

**Sections 6. Removal from Office.** With just cause, an officer or essential committee chairperson may be removed from office by a two-thirds (2/3) vote of the Executive Board.

### Article VIII Duties of the officers

**a. President.** The president shall preside at all meetings of the organization and of the executive committee; shall be a member ex officio of all the committees except the nominating committee; and shall perform all other duties usually pertaining to the office.

**b. Vice-President.** The vice president shall act as aide to the president; shall perform the duties of the president in the absence of that officer; and shall be coordinator between the executive board and the chairpersons of the essential fundraising projects.

**c. Secretary.** The secretary shall keep a record of all meetings of the organization and of the executive committee; and shall 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; and shall pay out local funds only as authorized by the executive board or the organization. The treasurer shall 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.* *The Treasurer 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 2/4/2021)

*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.* (Amended 2/4/2021)

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 of the following year.

**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.* (Amended 2/4/2021)

**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 are available to meet.* (Amended 2/4/2021)

**Section 4. 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 5. Officer Transition.** The incoming and outgoing Treasurer must make themselves available to sign and record the transfer of bank account and financial records. 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. (Amended 2/4/2021)
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 the 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 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 forgoing 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 were approved and accepted.

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

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

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

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

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

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

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

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

Signed: Sara Schoenecker  
Sara Schoenecker, Morgan Elementary PTO President 2020-2021

Danielle Ruskaup  
Danielle Ruskaup, Morgan Elementary PTO Vice President 2020-2021