

BY-LAWS

Switzer Elementary Parent Teacher Organization

BY-LAWS OF THE: **Switzer PTO**
Shelby Township

May 6, 1987
Date of Adoption
October 2, 2001
First Revision Ratification
March 10, 2015
Second Revision Ratification

Article I: Name

The name of this organization shall be the Switzer Parent Teacher Organization (PTO), Shelby Township.

Article II: Objectives

The objectives of the Switzer PTO shall be:

1. To encourage a working relationship between the educational staff, the parents, and the children.
2. To establish the opportunity for communication between the parents and the educational staff in all areas of mutual interest.
3. To conduct fund-raising activities to enhance the environment of Switzer Elementary. Examples include (but are not limited to): academic programs, social events, supplemental improvements to the building, technology upgrades, educational materials, school grounds and playground equipment.
4. To create, publish, and update as necessary a "PTO Mission Statement" setting forth goals and objectives consistent with the Objectives stated above in this or any future versions of these By-Laws amended via the procedures outlined in "Article XI: Amendments".

Mission Statement:

The mission of the Switzer Parent Teacher Organization (PTO) is twofold: 1) To fundraise in order to provide financial support of organized activities, programs, events and improvements that enhance our students' educational experience, and 2) To sponsor events which promote a sense of Community and School Pride for both students and parents.

Article III: Basic Policies

Section 1: This organization shall be non-commercial, non-sectarian, and non-partisan. It shall not endorse a commercial enterprise or a candidate. The name of this organization or the names of any members in their official capacities shall not be used in any connection with a commercial concern or with any partisan interest, or for any other purpose than the regular work of the organization.

Section 2: This organization shall seek neither to direct the administrative activities of the school, nor to control its policies.

Section 3: Switzer Elementary PTO is an independent organization that is not legally tied to the Utica Community School District (UCS). Although we strive to work together for many shared goals, UCS neither directs the administrative activities of the PTO, nor controls its policies.

Article IV: Membership

Section 1: Scope

Every Switzer Elementary parent, legal guardian and teacher will be considered a member of the Switzer PTO and is eligible to vote at any meeting.

Section 2: Records

The record of the membership attendance shall be kept by the organization's Secretary.

Article V: Officers and Their Election

Section 1: Offices, Terms and Eligibility

- A. The elected Officers of this organization shall be President, Vice-President, Secretary, Treasurer and Financial Controller.
- B. Principal Officer Roles are defined as roles which must be filled at all times to prevent detriment to the organization. The Principal Officers of this organization are: President and Treasurer.
- C. Officers of this organization may not be related by blood or marriage.
- D. Officers shall be elected by a ballot annually at the May Switzer PTO meeting to fill any vacancies for the upcoming school year (either from an expiring 2 year term or in the event that an Officer has decided not to continue for a second year). However, if there is but one nominee for any office, upon motion from the floor, the election may be done by voice. If there are no nominees for an office at the May meeting, nomination and election may take place at any time during subsequent meetings.
- E. Officers shall assume their official duties at the close of the June meeting and shall serve for a term of two years, unless otherwise specified by a passing motion. If an Officer is elected mid-year, their duties begin immediately and will continue until the end of the following school year unless otherwise specified by a passing motion.
- F. There is no limit to the number of consecutive terms that an individual may serve, but Officers must be re-elected at the end of each 2 year term.
- G. The office of Vice President may be shared by a maximum of 2 individuals as Co-Officers. Both individuals must be presented for election as a shared candidacy and will share (1) vote during issues requiring a Board-only Vote. Should Co-Vice Presidents disagree on a Board-only voting issue, the shared vote shall be counted as a 'nay.'

Section 2: Election Process

- H. Should there be a vacancy for the upcoming school year (either due to the expiration of a 2-year term or an Officer has informed the Board that they are unable to serve the second year of their term), a Notice of Vacancy will be distributed to the membership at least one (1) week prior to the May meeting. This information will describe the roles and duties of each vacant Officer position as outlined in "Article VI: Duties of Officers" and invite the general membership to nominate a member for an office at the May PTO Meeting.
- I. Nominations should be made in person at the May meeting and the nominee should be present and accept the nomination. If a prospective nominee is not able to be present at the May meeting, they may submit a letter of intent to the PTO Board prior to the meeting, stating that they will accept a nomination. Such letter must specify for which office the author would accept a nomination, and, if possible, bear an official signature. Electronic mail may be used at the discretion of the parties.
- J. Each nominee will have the opportunity to address the Membership and present their candidacy for the nominated office (nominees who have submitted a letter of intent may also submit a statement to be read), after which the membership will vote; either by ballot (multiple nominees) or a show of hands (single nominee).
- K. Nominees may run for only one office. If nominated for more than one position, the nominee may accept only one nomination for a single office.
- L. A member may nominate his or herself for an office, provided the nomination is seconded by another member.

Section 3: Vacancies and Removal of Officers

- M. An Officer who no longer wishes to or is unable to perform his or her duties mid-term must notify the remaining Officers with a written letter of resignation, including the effective date. A Notice of Vacancy will be distributed to the membership as soon as possible, and the letter of resignation will be presented to the Membership at the next PTO meeting.
- N. In the event that any office is unfilled at the end of a term (June), or subsequently becomes vacant mid-term, a Notice of Vacancy/call for nominees will go out to the Membership. Nominees will be voted upon at the next PTO Meeting. The process for voting shall be the same as the regular May election process described in Article IV, Section 2.
- O. Should the Principal Office of President become vacant, the Vice-President shall assume all duties of the office until a permanent replacement is obtained.
- P. Should the Principal Office of Treasurer become vacant, the President shall assume the duties of the office until a permanent replacement is obtained. In such a case, the President shall report all financial activities to the school Principal, Executive Board, and the Financial Controller until a new Treasurer is in place.
- Q. In the event the office of President becomes vacant and the Vice President is a shared position, one Officer will ascend to perform the duties of President and the other shall remain in the role of Vice President until the office of President is permanently filled.
- R. In the event that the office of Financial Controller becomes vacant, a non-Principal Officer (one having no access to the organization's bank account) shall assume the duties of the Financial Controller until the position is filled.

- S. In the event that an Officer commits documented criminal offenses against his or her office, their term is automatically ended without appeal, and the process described in N, above, shall begin.
- T. In the event that a Principal Officer makes any changes to the security settings of the organization's bank account without presenting the proposed changes to membership and being approved by a majority vote, his or her term is automatically ended without appeal and the process described in N, above, shall begin.
- U. In the event that an Officer egregiously fails to perform the duties of the elected office, the Membership may vote to remove the Officer, at which point the process described in N, above, shall begin. A two-thirds (2/3) majority will be required to remove an Officer from their position for misconduct or for dereliction of duty. A motion for removal must be made and seconded, and the Officer will have the opportunity to address the membership before the vote is held.
- V. In the event that either a Principal Officer or Financial Controller resigns or is terminated, the remaining Principal Officer(s) shall take immediate steps to terminate the former Officer's access to all of this organization's bank accounts, accounting programs, change all passwords, and collect all relevant materials from the former Officer immediately.

Article VI: Duties of Officers

Section 1: The PRESIDENT shall:

- Preside at all regular, special, and Board meetings.
- Enforce the By-Laws of this organization and rule on points of order in accordance with Robert's Rules of Order.
- Manage the Administrative duties of the organization, including but not limited to managing the annual calendar of events and overseeing all written and electronic communications to the Membership, including the use of social media as a means of communication.
- Oversee and manage all details and requirements pertaining to this organization's 501c3 status and operations, including State and Federal requirements for licensure, permits, etc.
- Work with the Financial Controller to prepare and submit annual tax documents for the organization.
- Act as the second signer (Treasurer being first) on all organization's bank accounts.
- Act as a back-up to the Treasurer and perform the duties of that office in all situations where the Treasurer is unavailable.
- Routinely monitor bank account activity for irregularities.
- Have View-Only access to the financial books.
- Assist the other Officers as needed.

Section 2: The VICE-PRESIDENT shall:

- Act as an aide to the President
- Perform the duties of the President in the absence of or the inability of that Officer to serve.
- Act as Sergeant at Arms in accordance with Robert's Rules of Order for all meetings, assisting the President in maintaining order.
- Assemble and maintain Committee Binders, including updating the guidelines for specific events when needed.
- Manage and oversee Volunteer Committees, informing the President of all ongoing issues

- Present a Committee Report to update the membership at each PTO Meeting.
- Act as liaison between the PTO Board and Committee Chairs, assisting them whenever possible.
- Oversee Volunteer Appreciation activities/communications.
- Assist other Officers as needed.

Section 3: The **SECRETARY** shall:

- Prepare meeting agendas and advertise agenda items to the Membership prior to meetings.
- Provide a physical copy of the agenda for Members prior to the meeting.
- Make available a physical copy of the previous month's minutes to all members prior to meetings.
- Take attendance and minutes at all meetings.
- Post a physical copy of the minutes after every meeting.
- Prepare or assist with the PTO Board correspondence, as necessary.
- Assist other Officers as needed.

Section 4: The **TREASURER** shall:

- Have view-only access to the financial books.
- Act as Principal signer on all bank accounts.
- Count and deposit all monies in accordance with the Utica Community School District guidelines.
- Maintain a set of records documenting all deposits and payments, including receipts.
- Enforce the use of all required forms and documentation before payments are issued.
- Notify the Financial Controller of all deposits and payments within 24 hours.
- Work with the Financial Controller to prepare monthly reports to be presented at the regular PTO meetings.
- Present all money requests for which there is no previously approved allocation at regular meetings to be voted on by membership.
- Make payment for approved money-requests and save corresponding receipts.
- Pay all approved routine bills and expenses within the limits of the treasury, not to exceed \$200.00 (see Article VIII, Section 3, point A) per occurrence.
- Pay all approved emergent expenses as approved by the Executive Board (see Article VIII, Section 3, point B) and present notice of the payment at the next general membership meeting.
- Ensure that all checks over \$200 are co-signed by the President.
- Routinely monitor bank account activity for irregularities.
- Present, upon demand, financial records as requested by the Executive Board Members (including Financial Controller), general membership, or the Auditing Committee.
- Assist other Officers as needed.

Section 5: The **FINANCIAL CONTROLLER** shall:

- Have view- only access to the organization's Bank Account(s).
- Handle all the organization's financial bookkeeping and accounting duties.

- Enter all information received from the Treasurer into a PTO Board-Approved Accounting Program that allows view-only/auditor access.
- Continuously reconcile all information received from the Treasurer against the bank statement(s)
- Work with the Treasurer to prepare monthly reports to be distributed at the regular PTO meetings.
- Sign-off on the accuracy of the monthly Treasurer Report.
- Prepare an annual report to be distributed to the membership at June meeting.
- Routinely monitor bank account activity for irregularities.
- Work with President to prepare and submit appropriate annual tax documents for the organization.
- Present, upon demand, financial records as requested by the Executive Board Members, the general membership or the Auditing Committee (see Article IV, Section 3).
- Assist other Officers as needed.

Article VII: Meetings

During the course of each academic school year, there shall be:

- A minimum of 8 regularly scheduled PTO meetings of all members.
- Committee meetings as deemed necessary by committee chairs.
- Monthly meetings between the PTO President and the School Principal.
- Executive Board Officer Meetings as deemed necessary.

Section 1: The Board shall select the meeting dates for the year and advise the membership of the dates prior to the first meeting. The Board reserves the right to change meeting dates. Notice shall be given to the membership as soon as possible when it is necessary to change a meeting date.

Section 2: The President may call special PTO meetings. Notice and agenda must be given to the membership.

Section 3: Members wishing to have an item placed on the agenda should submit their request to the Secretary no later than one (1) week prior to the meeting. Exceptions may be made at the President's discretion.

Section 4: The membership present constitutes a quorum for the transaction of business in any general meeting of the organization.

Section 5: All issues requiring a vote must be motioned from the floor with a member seconding the motion. A vote will pass with a simple majority of all those in attendance. The number of votes for and against will be recorded in the minutes by the Secretary.

Section 6: The privilege of introducing motions, debating and voting shall be limited to the members present at the PTO meeting. Voting shall extend to the Officers as well as the members present at the PTO meeting.

Section 7: Officers of this organization, the Principal of the school, and a teacher representative(s) shall strive to attend each Switzer PTO meeting. The teacher representative(s) shall represent the teachers and report the Switzer PTO business back to the faculty.

Article VIII: Switzer PTO Executive Board

Section 1: The Switzer PTO Executive Board shall consist of the elected Officers of this organization and the Principal of Switzer Elementary School.

Section 2: The School Principal is a member of the board in an advisory capacity only and does not vote during an Executive Board voting scenario.

Section 3: The duties of the Switzer PTO Executive Board shall be:

- A. To transact necessary business in the intervals between organization meetings. This may include the vote of the Board to move forward on emergent issues that do not result in a net expense to the organization. In such cases, each Board Member will have one vote with a simple majority required. The results of all Board-only votes will be reported to the membership at the next general meeting. In situations when a physical meeting of all board members is not possible, discussion and voting may take place via email, conference calls, or other means of communication where the participants are identifiable.
- B. To approve routine bills and administrative expenses within the limits of the treasury, not to exceed \$200.00 per occurrence without prior membership approval (to be reported at the next meeting).
- C. To appoint committees to carry out the activities of the Organization.
- D. To create a yearly calendar of organization events.
- E. To exhibit conduct that is in accordance with the objectives outlined in "Article II: Objectives" by displaying leadership and personal integrity which promotes and inspires community involvement.
- F. To attend all meetings unless notifying a Board member of an absence.
- G. To develop, communicate and enforce procedures regarding the day to day operations of the Organization, including all forms and related documentation.
- H. To develop an annual budget of estimated expenditures and revenue based on the organization's history, to be presented annually at the September PTO Meeting.

Section 4: The Switzer PTO Executive Board has a fiduciary obligation to represent the interests of the general membership and does not have the power to overturn decisions voted upon by the general membership.

Article IX: Financial Safeguards

Section 1: The financial records of this Organization shall immediately be made available by the Financial Controller and/or Treasurer upon request at any time. Such requests can be made by any member, including those on the Auditing Committee (see Section 2, below).

Section 2: An Auditing Committee consisting of no more than 2 parent members shall be established by majority vote during the May PTO meeting, or at any other time the role becomes vacant. Members of this committee will be responsible for auditing the Organization's financial records for the following school year as outlined in Section 3. Members of the Auditing Committee must be re-affirmed by majority vote each May to continue for the following school year.

Section 3: The Auditing Committee shall:

- A. Perform a yearly audit of the organization's Financial Books at the end of each fiscal year.
- B. Request information/clarification of financial information at any time from either the Treasurer or Financial Controller as deemed necessary.
- C. Provide a signed statement of their findings to be presented to membership at the September PTO meetings at the beginning of each school year.

Article XI: Committees

Section 1: Committees shall be created by the board as may be required to promote the objectives and interests of this organization. The PTO Board shall approve the chairperson of the committees, who will be monitored by the Vice President.

Section 2: Each Committee shall have a Committee Binder, which contains detailed instructions on how to request funds, maintain accurate records of all expenses, vendors, and other pertinent information. These requirements and guidelines will vary by event.

Article XII: Chairperson Responsibilities

Section 1: Chairpersons are expected to follow the guidelines given them as closely as possible and should contact the Vice President in the event they need assistance or clarification.

Section 2: Chairpersons shall present the PTO Board with timely updates on all aspects of the event when requested.

Section 3: The chairperson of an event shall return the Committee Binder to the Vice President at the close of the event, or at the end of the school year for ongoing events, unless otherwise agreed upon.

Section 4: To the extent possible, ensure all committee members are adhering to the required financial procedures during events

Section 5: The PTO Board reserves the right to relieve a chairperson of their duties in the event they become negligent or there is an indication of fraud or other impropriety. The Board also reserves to right to appoint additional chairpersons in the event should they deem it necessary.

Article XIII: Parliamentary Authority

Section 1: The rules contained in the current edition of *Robert's Rules of Order Newly Revised* shall govern the Organization in all cases to which they are applicable and in which they are not inconsistent with these By-Laws and/or any special rules of order the Organization may adopt.

Article XIV: Amendments

Section 1: These By-Laws may be amended at any time as deemed necessary by the Membership. The amendment process as described below must be followed for any and all changes to the By-Laws.

Section 2: These By-Laws must be reviewed to assure they reflect current practices at least once every three (3) years and either amended or re-ratified as outlined in Section 7, below.

Section 3: Should changes be required, the PTO Board will develop a draft of proposed amended By-Laws and the process will proceed as outlined in Section 4. Should no changes be deemed necessary, the Executive Board shall proceed as per section 6 and present the By-Laws to the membership for re-ratification.

Section 4: The proposed amended By-Laws (developed in Section 3, above) shall be reviewed by a special By-Laws Committee which shall consist of the Principal of the school and at least 3 volunteer members who are not Officers of the organization nor related by blood or marriage to any current PTO Board members. The committee shall review the suggested changes/additions and respond with their constructive feedback and suggestions to the PTO Board.

Section 5: The PTO Officers will consider the committee's findings and make a final revision of the By-Laws.

Section 6: The final proposed amendments shall be published and available a minimum of one week prior to the next PTO meeting by placing a physical copy for review at the school and posting an electronic copy on the PTO website. Notice will be given to membership that By-Law ratification will take place at the next meeting.

Section 7: A two-thirds (2/3) vote of the members present and voting shall be required to either amend or re-ratify these By-Laws once the requirements of Sections 3, 4, 5 and 6 have been met.

Section 8: In the case of re-ratification, the date of re-ratification should be appended to the title page and header of the By-Laws.

Switzer Elementary PTO

Segregation of Financial Duties

