

Memorial Elementary School PTO

Burlington, Massachusetts



Memorial School PTO By-Laws

Updated spring 2011 (Approved May 5, 2011)

Article I: Name

The name of this organization is the Memorial Elementary School Parent Teacher Organization (PTO), Burlington, Massachusetts. This organization is referred to as PTO. The Memorial School PTO will serve as a subcommittee of the Burlington Parent Teacher Organization (BPTO).

Article II: Articles of Organization

The articles of the PTO are included as part of the bylaws.

Article III: Purpose

Section 1: The objectives of the PTO are:

- a) To promote the welfare of the children in home, school, and community.
- b) To contribute to the enrichment of family life.
- c) To support policies for the care and protection of children.
- d) To bring into closer relation the home and the school, that parents and teachers may cooperate intelligently in the education of children.
- e) To develop between educators and the general public such united efforts, as will secure for all children, the highest advantages in mental, social, and physical education.

Section 2: The objectives of the PTO are promoted through an educational program directed towards parents, teachers, and the general public. They are developed through conferences, committees, projects, and programs. They are governed and qualified by the basic policies set forth in Article IV.

In pursuance of these purposes it shall do all things necessary, proper and consistent with maintaining tax exempt status under section 501(c)(3).

Article IV: Basic Policies

The following are the basic policies of the PTO:

- a) The PTO shall be non-commercial, non-sectarian, and non-partisan.
- b) The name of the PTO or names of any members in their official capacities shall not be in any connection with commercial concern or with any partisan interest or for any purpose not related to promotion of the objectives of the PTO.
- c) The PTO shall not - directly or indirectly - participate or intervene (in any way, including the publishing or distributing of statements) in any political campaign on the behalf of, or in opposition to, any candidate for public office; or devote more and an insubstantial part of its activities to attempting to influence legislation by propaganda or otherwise.
- d) The PTO shall work with the schools to provide quality education for all children, and shall seek to participate in the decision-making process establishing school policy, recognizing that the legal

responsibility to make decisions has been delegated by the people to the Burlington Public Schools' Superintendent and the School Committee.

- e) The organization may cooperate with organizations and agencies concerned with child welfare, but persons representing the PTO in such matters shall make no commitments that bind the organization.
- f) In the event of the dissolution of the PTO, its assets shall be distributed to other non-profit organizations according to the discretion of the Executive Board.

Article V: Membership and Dues

Section 1: Membership in the PTO shall be available to all parents and faculty of the Memorial School.

Section 2: The PTO shall conduct an annual enrollment of members at the beginning of the school year, but persons may be admitted to membership at any time.

Section 3: Each member family of the PTO shall pay annual dues of \$20.00 per family.

Section 4: Only members of the PTO shall be eligible to vote in the business meetings or to serve in any of its elective or appointed positions.

Article VI: Executive Board and Their Election

Section 1: Each board member of this PTO shall be a member of the PTO

Section 2: Executive Board and their election:

- a) The Executive Board of the PTO shall consist of a President (or two Co-Presidents), First Vice-President, Second Vice-President, Secretary (or two Co-Secretaries), Treasurer, Hospitality Chair (or Co-Chairs), and the school Principal. Both Co-President shall serve on the BPTO board of Directors.
- b) The Executive Board shall be elected by ballot in the month of May or June. However, if there is but one nominee for any one office, election for that office may be by voice vote.
- c) No one shall be eligible to hold an office until they have been an active and participating member of a PTO committee for one year or by a majority vote of the PTO Executive Board.
- d) Whenever possible, the office of Co-President should be filled by someone on the existing PTO Executive Board.
- e) Board members shall assume their official duties beginning July 1st and shall serve for a term of one year or until their successors are elected. If there are Co-Presidents, only one shall be elected each year for a two-year term. If no one steps forward, the current positions can be occupied for longer than the stated term.

Section 3: Nominations

- a) Requests for nominations shall be placed in the school bulletin prior to the April or May meeting. Nominations may be made and seconded by any members present at that meeting. The names of those nominated shall be placed in the school bulletin prior to the May/June meeting. No nominations shall be made after the May meeting. Voting will take place at the May/June meeting.
- b) Only those persons who have signified their consent to serve if elected shall be nominated for or elected to such office.

Section 4: Vacancies

A vacancy occurring in any office shall be filled for the remaining term by such a person elected by a majority vote of the executive board; notice of such election must be given. In case a vacancy occurs in the office of the President(s), the First Vice-President shall serve notice of the election.

Article VII: Duties of the Executive Board

Section 1: The President(s) shall preside at all meetings of the PTO and the Executive Board. They shall perform such duties as may be prescribed in these by-laws or assigned by the organization or by the Executive Board. They shall be a member ex officio of all committees and shall coordinate the work of the officers and committees of the PTO. The President(s) shall place notices in the school bulletins for meetings and work with the Principal to schedule events.

Section 2: The First Vice-President shall act as an aid to the President(s) in the absence or inability of that officer to act. The First Vice-President also serves as the Fundraising Chairperson.

Section 3: The Second Vice-President must be the teacher liaison between the PTO and the faculty and staff.

Section 4: The Secretary shall record the minutes of all meetings of the PTO and of the Executive Board. The Secretary shall have a current copy of the by-laws, maintain the membership list, and email distribution lists.

Section 5: The Treasurer shall have custody of all the funds of the PTO, and keep a full and accurate record of receipts and expenditures. In accordance with the budget, the Treasurer shall make disbursements as authorized by the President(s), Executive Board, or PTO. The Treasurer or the President(s) shall sign checks or vouchers. The Treasurer shall present a financial statement at every meeting of the PTO and at the meeting at which new officers officially assume their duties. The Treasurer shall be responsible for the maintenance of such books of account and records. The Co-Presidents or Executive Board may request recommendation of an audit periodically. The treasurer shall maintain and provide necessary information which may be required to maintain tax-exempt status under 501 (c) 3.

Section 6: Duties of the Executive Board shall be:

- a) to transact necessary business in the intervals between meetings and such other business as may be referred to it by the PTO.
- b) to create standing and special committees.
- c) to approved the plans of work of the standing committees.
- d) to present a report at the regular meetings of the organization.
- e) to create and bring for approval the annual budget for the PTO.
- f) to approve routine bills within the limits of the budget.
- g) to approve emergency expenditures within the limits of the budget and with a majority vote of the Executive Board.
- h) to file necessary paperwork to maintain tax-exempt status and membership with BPTO.

Section 7: Special meetings of the executive board may be called by the co-presidents or by a majority of the members of the committee.

Section 8: All officers shall perform the duties outline in these by-laws and those assigned from time to time. Upon expiration of the term of office or in case of resignation, each officer shall turn over to their incoming officers, without delay, all records and other materials pertaining to the office, and shall return to the treasurer, without delay, all funds pertaining to the office.

Section 9: All elected officers of the Memorial School PTO shall agree and abide by the “Hold Harmless Agreement” of the BPTO/School Committee/Town of Burlington, accepted in February 2008 (see attachment

2).

Article VIII: Meetings

Section 1: PTO meetings shall be held the first Thursday of each month during the school year with the exceptions of September and December, unless determined otherwise by the PTO Executive Board. The majority of the executive board shall constitute a quorum.

Section 2: Meeting dates shall be determined at the beginning of the school year and reported in the school bulletin. Reminder notices shall be placed in the school bulletin the week before each meeting.

Section 3. Special meetings of the PTO may be called by the co-presidents or by a majority of the executive board, five days notice having been given.

Section 4: The Executive Board will hold a meeting in September to finalize the proposed budget for the current school year and to set the meeting schedule for the year.

Section 5: The Executive Board will hold separate board meetings as needed during the course of the year. Five officers shall constitute a quorum for transaction of emergency business in between regular meetings.

Section 6. The election meeting shall be held in May or June.

Article IX: Committees

Section 1: Only members of the PTO shall be eligible to serve in any elective or appointed position.

Section 2: The Executive Board may create such standing committees as it may deem necessary to promote the objectives and carry on the work of the PTO. The authority to form special committees and appoint their members rests with the Executive Board.

Section 3: The Co-Presidents shall be members ex officio of all committees.

Section 4: No committee work shall be undertaken without the consent of the Executive Board. No notices or correspondence may be sent out without the approval of the Principal and Co-presidents.

Article X: Fiscal Year

Section 1: The fiscal year of the PTO shall begin July 1 and end June 30.

Section 2: The Treasurer's term of office shall run concurrently with the fiscal year.

Article XI: Parliamentary Authority

Robert's Rules of Order Newly Revised shall govern the PTO in all cases in which they are applicable and in which they are not in conflict with these bylaws.

Article XII: Amendments

Section 1: These by-laws may be amended at any regular meeting of the PTO by a two-thirds vote of the members present and voting, provided that notice of the proposed amendment shall have been given at least thirty days prior to the meeting at which the amendment is voted upon.

Section 2: A committee may be appointed to submit a revised set of by-laws as a substitute for existing by-laws only by a majority vote at a meeting of the PTO, or by a two-thirds vote of the executive board. The requirements for adoption of a revised set of by-laws shall be the same as in the case of amendment.

ARTICLE XIII COMPLIANCE WITH INTERNAL REVENUE CODE

Section 1. Notwithstanding any other provision of these Articles, the BPTO is organized exclusively for one or more of the purposes specified in section 501(c)(3) of the Internal Revenue Code of 1986 ("IRC"), as amended, and shall not carry on any activities not permitted for an organization exempt from Federal income tax under IRC Section 501 (c)(3) or corresponding provisions of any subsequent Federal tax law.

Section 2. No part of the net earnings of the BPTO shall inure to the benefit of any Member or officer of the PTO Council, or any private individual (except that reasonable compensation be paid for services rendered to or for the PTO Council), and no Member or officer of the BPTO, nor any private individual, shall be entitled to share in the distribution of the BPTO's assets upon its dissolution.

Section 3. No substantial part of the activities of the BPTO shall be carrying on propaganda, or otherwise attempting to influence legislation (except as otherwise provided in IRC Section 501(h)).

Section 4. The BPTO shall not participate in, or intervene in (including the publishing or distributing of statements), any political campaign on behalf of (or in opposition to) any candidate for public office.

Section 5. In the event of dissolution, all of the remaining assets and property of the BPTO shall, after paying or adequately providing for the debts and obligations thereof, be distributed to another charitable organization, foundation, or non-profit fund exempt from Federal tax under IRC Section 501(c)(3), or corresponding provisions of any subsequent Federal tax law.

Section 6. "No funds collected, raised, controlled, or owned by the member PTOs shall be considered assets of the BPTO, and the BPTO shall have no control over the use or distribution of such funds."

Dated: March 11, 2008