

BYLAWS

Benjamin Phelps Parent Teacher Organization

2009

Article I. Name

- (a) The name of this organization shall be the Benjamin Phelps Elementary School Massachusetts Congress Parent Teacher Organization.

Article II. Objectives-Mission

- (a) To promote the education and well-being of all children at home, in school, and in the community.
- (b) To provide a forum for discussion and foster communication between parents, administrators, educators and the community.
- (c) To enhance the educational facilities and opportunities for the students of Benjamin Phelps Elementary School that are not otherwise provided for in the school budgets.
- (d) To promote volunteer programs and resources for Benjamin Phelps Elementary School.
- (e) To sponsor projects and events for the benefit of Benjamin Phelps Elementary School students.
- (f) To raise funds as required to provide for all the above objectives.
- (g) It shall not violate the district's personnel agreements, contracts, policies, or interfere with the professional performance of the school staff.
- (h) It shall not infringe on the legal rights of individual students, groups of students, teachers, parents, or community.
- (i) It shall not become involved in, or interfere with, specific curriculum decisions unless the district or school requests input.

Article III. Policies

- (a) The organization shall be noncommercial, nonsectarian, and nonpartisan.
- (b) The name of the organization or the names of any members in their official capacities shall not be used to endorse or promote a commercial concern or in connection with any partisan interest or for any purpose not appropriately related to promotion of the Objects of the organization.
- (c) 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.

- (d) No part of the net earnings of the organization shall inure to the benefit of, or be distributable to its members, directors, trustees, 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 II hereof.
- (e) Upon dissolution of this organization, after paying or adequately providing for the debts and obligations of this PTO, the remaining assets shall be evenly distributed to Benjamin Phelps Elementary School. If The school ceases to exist, remaining PTO assets shall be distributed to one or more PTO Organizations within the town of Agawam.
- (f) The PTO shall not seek to direct the administrative activities of the schools or to control its policies.
- (g) The PTO may cooperate with other organizations and agencies active in child welfare, such as conference groups or coordinating councils; provided they make no commitment which binds their members' groups.

Article IV. Membership

- (a) Any parent, guardian, or other person standing in "loco parentis" or direct relative of a child enrolled and attending the Benjamin Phelps Elementary School.
- (b) Each member of the licensed teaching staff working in the Benjamin Phelps Elementary School.
- (c) Any member shall have the privilege of making motions and serving on committees.
- (d) A voting member shall be anyone who is a member in good standing according to Article IV, section a.
- (e) The membership year will run consistent with the school calendar year.
- (f) A Teacher Representatives will be a liaison between parents, teachers, and Executive Board. Teacher Representatives will be elected by the teachers as deemed necessary. More than one teacher may share the responsibility as Teacher Representative. This representative may send to any meeting another teacher as an alternate or substitute. The Teacher Representative will provide feedback, suggestions and assist the Executive Board with information from the staff. Officers and their Election
- (g) The officers of this organization shall be a President, Vice President, Secretary and a Treasurer.
- (h) Any PTO member is eligible to be a board member but they must become voting members upon their election.

- (i) Outgoing officers will end their duties and new officers shall assume their duties on the last day of school. The treasurer will be the exception and transfer duties on August 1st, which is the beginning of the fiscal year of the PTO.
- (j) Officers shall serve a term of two (2) years and/or until their successors are elected.
- (k) A person shall not be eligible to serve more than two (2) consecutive terms in the same office, unless there are no other candidates for that position.
- (l) Two members from the same household are not eligible to be on the board at the same time.
- (m) PTO Officers who sit on the school council board must recuse themselves from all votes within the PTO involving the school council.
- (n) Officers of this organization shall be elected in the following manner:
 - (i) Nominations for the Board will be taken at the April general meeting. People nominated must have a child or be a direct relative of a child attending Benjamin Phelps Elementary School.
 - (ii) PTO Board elections shall be held at the May PTO general meeting.
 - (iii) All votes shall be on written ballot except as provided in section v below. No vote may be cast by proxy.
 - (iv) One past President or a past board member, along with two other members, not in the election, shall be in charge of counting votes.
 - (v) If there is only one nominee for a position, a voice vote will be done to elect that person.
- (o) Vacancies shall be filled by the appointment of the Board.
- (p) Removal from office may occur by a majority vote of the Board for missing more than two consecutive Board meetings, failure to perform assigned duties, corruption, or any act that brings dishonor to the organization or negates the objectives of the organization. Removal shall take place after the board has met in an effort to discuss the problem and all attempts have been made to resolve the problem. Removal shall be done by a majority vote of the board. No board member has the right to change any decision that the board members made. If a board member intentionally does not follow thru with the decision of the board, it will result in removal from the board.
- (q) The slate of candidates shall be published in the school newsletter no less than 14 days but preferably 30 days prior to election.

Article V. Duties of Officers

- (a) The President shall preside at all meetings of the organization and shall coordinate the work of the officers and committees, in order that the objectives- mission may be promoted.
- (b) The Vice President shall act as aid to the President and perform the duties of the President in the absence or inability to serve.
- (c) The Secretary shall keep a permanent and accurate record of all meetings. Copies the current school year minutes will be available at each meeting. The secretary must have a

current copy of the bylaws at each meeting. He/She shall conduct all correspondence as requested by the President. Copies of the minutes shall be provided to all Board members prior to the next meeting. The Secretary shall verify the eligibility of all officer candidates. The secretary will also collect the scholarship applications, make them anonymous, and submit them to the scholarship committee for review.

- (i) Meeting minutes shall include:
 - (ii) The kind of meeting (regular or special),
 - (iii) The name of the organization,
 - (iv) Date and place of the meeting,
 - (v) Presiding officers and Secretary,
 - (vi) Public comments,
 - (vii) Name of member making and seconding each main motion,
 - (viii) A summary of all reports,
 - (ix) The signature of the Secretary
- (d) The Treasurer shall receive all monies of the organization; shall keep an accurate record of receipts and expenditures; and shall pay out funds in accordance with the Bylaws. She/He shall present a financial statement at every meeting and at other times when requested by the board; and shall make a full report at the end of the current school year.
- (e) All officers shall perform the duties outlined above as well as any other duties prescribed in these bylaws; and such other duties as may be delegated to her/him.
- (f) All officers shall deliver to their successors official materials at the close of their service of office.
- (g) The presence of a majority of the members of the PTO Board shall constitute a quorum. A simple majority vote shall be necessary to pass a motion. The organization will be governed by a President, Vice President, Secretary, and a Treasurer, each will have an equal vote. In the event of a tie vote the Principal will cast the deciding vote in Executive Session meetings.
- (h) The order of business shall be:
- (i) Meeting called to order by the President,
 - (ii) Approval of the minutes of the prior meeting,
 - (iii) Presentation and approval of the treasurer's report,
 - (iv) Committee reports,
 - (v) Old business,
 - (vi) New business,
 - (vii) Parent comments
 - (viii) Adjournment.
- (i) Officers will pay for all PTO events.

Article VI. Committee Chairperson

- (a) Committee Chairpersons will be responsible for maintaining and establishing their committees and are responsible to the Board of Trustees. The Secretary will provide a description of the job function from the binder. A budget will be set, by the Executive Board, for each planned function.

- (b) The Committee Chairperson (s) titles and job descriptions will be kept in the Continuity Binder, It is the responsibility of each Committee Chair to update this file each year and the Secretary to keep organized.
- (c) Committee Chairperson Positions: (Co-chair positions are allowed.) are as follows but not limited to and are subject to change without notice: Birthday & Cafeteria Bulletin Board, Election Day Bake & Craft Sale, Falcons Game, Fall Festival, Field Day, Fourth Grade Committee, General Mills Box Tops, Holiday Caroling/Teacher Luncheon, Ice Cream Night, Kindergarten Liaison, Library, Mother/Father/Someone Special Candy Sale, Photocopying, Publicity, Read-A-Thon /Family Fun Night, School Store, Shriner Tab Program, Sunshine Club, Teacher Appreciate Week, Yearbook

Article VII. Meetings

- (a) The PTO will conduct a minimum of six meetings per year to conduct business. Additional meetings may be convened as determined by the President and approved by a majority vote of the PTO board.
- (b) Date and/or time may be changed by the board with proper notice given to members, not to be less than three days prior to the new date and/or time.
- (c) There will be one summer meeting, date and time to be determined by the board and membership during the May general meeting.
- (d) Three board members present at any meeting shall constitute a quorum for the transaction of business of the organization.
- (e) There will be an Executive board meeting 30 minutes prior to the general board meeting.

Article VIII. Parliamentary Authority

- (a) The rules contained in the current edition of *Robert's Rules of Order Newly Revised* shall govern the Benjamin Phelps PTO.

Article IX. Fiscal Year

- (a) The fiscal year of the Benjamin Phelps PTO shall begin on August 1 and end on the following July 31.

Article X. Audits

- (a) A financial review committee shall review the PTO books annually, including before the books are turned over to the new Treasurer. The committee will be appointed by the board and may not include either the outgoing or incoming treasurer. The committee's report will be submitted to the Board at the first general meeting of the new school year.

Article XI. Finances

- (a) Section 1 - Raised Funds
 - (i) As a volunteer organization, the Benjamin Phelps PTO shall not pay or provide any remuneration to the Officers of the Executive Board, Committee Chairpersons,

Committee Members or any other member of the organization for their volunteer service to the organization.

- (ii) Funds raised by the PTO shall remain in the PTO treasury and shall be used for the benefit of the students, parents, and teachers of its schools.

(b) Section 2 - Operating Funds

- (i) There shall be no commingling of Benjamin Phelps School PTO funds with the personal, professional, or business accounts of any individuals, groups or businesses. This shall include a prohibition against providing Benjamin Phelps PTO funds as a loan to anyone for any purpose.
- (ii) At the end of the school year there must be \$1,500.00 left in the bank account for the upcoming school year and no more than \$2,000 shall remain in the account at the end of the fiscal year. Additional money may be left in the account for outstanding expenses.
- (iii) There must be a minimum of \$200.00 in the bank account at all times.

(c) Section 3 - Check Policy

- (i) The treasurer may not issue blank checks. In the few instances where amounts are not known in advance, a check may be issued only if the "Payee" is designated on the check.
- (ii) A letter will be written to the payee of checks that are written to PTO and returned for insufficient funds. The letter will contain a copy of the returned check, a request for the written amount and the fees charged to PTO by the bank for the check. The check will be returned to the payee upon receipt of cash, money order, or certified check. All fliers, applications, contracts, fundraising materials, etc that deal with checks being written to the PTO will include a written notice of this policy.

(iii) When transactions occur:

- 1) The amounts entered on each check should be verified with a receipt for the transaction and the amount paid.
 - 2) The receipt should be forwarded promptly to the Treasurer for record keeping.
 - 3) The Treasurer may issue a check, in an amount not to exceed \$50.00 above the approved budget, to a chairperson or his/her designee for expenses to be incurred by a project. A check exceeding \$50.00 above the approved budget requires the approval of the PTO Board. If such an expense is approved, the chairperson or designee is responsible for:
 - a) Submitting receipts verifying all transactions.
 - b) Accounting for all funds granted.
 - c) Returning to PTO Treasurer any unused funds within 30 days following the final date of the project.
- (iv) Authorized signatures on PTO checks shall include the Treasurer or the President. The signature on any check cannot be the payee. In the case of the treasurer needing reimbursement, the check must be signed by the President.
 - (v) To be reimbursed from the PTO a reimbursement form along with the receipt, invoice or contract must be stapled to the reimbursement form and submitted to the Treasurer.

If it is not an item as written in the budget, two board members must sign the request form.

- (vi) Money raised by this organization shall be spent as specified in the approved budget. Any additional expenditure must be approved by a majority vote the Executive Board.
- (vii) This PTO shall not be liable for any non-budgeted monetary expenditure of \$100 or more without submission of such expenditures for approval. Non-budgeted expenditures over \$100.00 must be put to a vote of the membership.
- (viii) The PTO shall not be liable for any non-budgeted monetary expenditures of less than \$100 without prior approval of the PTO President and two additional Executive Board Members.
- (ix) PTO Board Members have the obligation to be conservative in the use of PTO funds and to report to the Board at monthly meeting regarding to the intended use of any budgeted funds.
- (x) All reimbursement requests must be submitted within 30 days of the event and reimbursements will be issued within 2 weeks from submission of the form.
- (xi) Any commitment of funds that does not follow these policies is the personal responsibility of the initiator.
- (xii) Contract signing authority is limited to the President and Treasurer, or a board approved designee.

(d) Annual Budget

- (i) At the last scheduled Regular PTO meeting of the year, the Treasurer shall prepare and present a proposed budget for the following year. At a minimum, the Budget shall include:
 - 1) Current Balance as of the date of the meeting.
 - 2) Expected and reasonable expenditures through the remainder of the fiscal year.
 - 3) Reasonable estimates for fundraising activities during the first four months of the new fiscal year. If funds allow, the Treasurer may assume zero fundraising during this period for planning purposes.
 - 4) A listing of non-discretionary funds committed to the next fiscal year (for example, Scholarship awards committed to the recipients
 - 5) A Scholarship Fund will be maintained of at least \$1,000.00 which will be awarded to two (2) Benjamin Phelps alumni annually (\$500.00 per student). According to specified guidelines. The alumni will submit an application which will be reviewed by the Principal, PTO President, and another person chosen by the Executive Board.
 - 6) A listing of recommended discretionary expenditures proposed for the next fiscal year.
 - 7) Any Memorial donations, may be designated for specific expenses, if the donor or the donor representative so chooses.
- (ii) The proposed budget must be in balance, meaning the projected income must be zero dollars.
 - 1) The PTO may discuss the proposed budget as needed. Changes to the proposed budget may be made as determined by the discussion.

- 2) The President shall not allow a vote on a proposed Budget that is not in balance.
 - 3) Approval of the budget is by majority vote. The PTO must vote to approve a Budget at the September meeting.
- (iii) Changing the Approved Budget
- 1) The Treasurer shall keep track of actual expenditures vs. budget items.
 - 2) The Treasurer shall not reimburse an expense that exceeds the Approved Budget for that budget item.
 - 3) A proposal to modify the Approved Budget may be made by any PTO member (including the Treasurer) at any scheduled Regular PTO Meeting. If the majority of the eligible PTO membership votes to accept the proposed change, the Treasurer will update the Approved Budget prior to the next report.
 - 4) By majority vote, the Executive Board may, at any time, vote to modify the Approved Budget. This vote shall be included in the Recording Secretary's Report at the next Regular PTO Meeting.
- (e) Reporting
- (i) The Treasurer shall keep track of all actual deposits and expenditures.
 - (ii) At every General Membership Meeting, the Treasurer shall provide a written financial report that the Recording Secretary keeps with the minutes of the meeting. At a minimum, the report shall contain:
 - 1) The current Closing Balance
 - 2) The remaining balance of all budget items
 - 3) At a minimum of two Regular PTO Meetings each year, the Treasurer shall provide an updated estimate of the end-of-year balance. The estimated end-of-year balance is the current Closing Balance plus the reasonable estimated income from all remaining fundraisers minus all estimated expenditures.
- (f) The Treasurer shall be responsible for the timely completion and submittal of any other financial or tax records, reports or forms. The Executive Board shall review and vote to approve these items prior to submittal.

Article XII. Amendments

- (a) These bylaws may be amended at any regular meeting of the association by a two-thirds vote of the members present and voting, provided that notice of the amendment has been given at the previous regular meeting.

Article XIII. By-laws

- (a) Bi-annually in school years ending in an odd number, the President of the PTO will select three non-board members to review the Bylaws. The committee will report on their review at the regularly scheduled February meeting of the PTO Board. Based upon their review

and recommendations, the Board may call a special meeting of the membership to consider changes.

These bylaws are adopted as prescribed on this date 10/07/09.

Revision Dates:

These bylaws have been revised on 5/97, 4/98, 7/99, and 5/04; 10/09