

# Dan Mills Elementary School

## PARENTS AND TEACHERS ORGANIZATION BY LAWS

### ARTICLE 1 – NAME

The name of this organization is the Dan Mills Elementary School Parents and Teachers Organization (“PTO”) located in the city of Nashville, Tennessee.

### ARTICLE II – PURPOSES

#### SECTION 1.

- a. To promote the welfare of children and youth in home, school and community.
- b. To secure adequate laws for the care and protection of children and youth.
- c. To promote closer relations between home and school, that parents and teachers may cooperate intelligently in the education of children.
- d. To stimulate exchange of ideas between educators and the general public to secure for every child the best educational opportunities.
- e. To promote closer ties between the Administration of Dan Mills Elementary School, the Davidson County School Board and the parents for the continual improvement of programs and support for the school.

SECTION 2. This organization is organized exclusively for charitable, and/or educational purpose with the intent of becoming a Section 501C3 of the Internal Revenue Code or corresponding Section of any future Federal tax code (hereinafter “Internal Revenue Code”) organization.

### ARTICLE III – BASIC POLICIES

The following are the basic policies of Dan Mills Elementary School Parents and Teachers Organization (“PTO”).

- 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 to attempting to influence legislation by propaganda or otherwise.
- d. This organization shall work with the school to provide quality education for all children and shall seek to participate in conjunction with administration and educators in the decision-making process establishing school policy.

- e. The organization shall not enter into membership with other associations except with the approval of the Executive Board, but may cooperate with other associations/organizations and agencies concerned with child welfare. A PTO representative from Dan Mills Elementary School shall make no commitments that bind the group he/she represents.
- f. No part of the net earnings of the organization shall operate to the benefit of, or be distributed to its members, or other private persons. The organization shall be authorized to pay reasonable compensation for services rendered and to make payments and distribution in furtherance of the purposes set forth in Article II hereof.
- g. Notwithstanding any other provision of these articles, the organization shall not carry on any other activities permitted to be carried on by an organization, contributions to which are deductible under Section 170 C (2) of the Internal Revenue Code.
- h. Upon the dissolution of this organization, after paying or adequately providing for the debts and obligations of the organization, the remaining assets shall be distributed to one or more nonprofit funds, foundations, or organizations which have established their tax exempt status under Section 501 C (3) or the Internal Revenue Code.

#### **ARTICLE IV – MEMBERSHIP AND DUES**

- a. Any person who is interested in the purposes for which this organization is established and willing to uphold its policies and subscribe to its by-laws may become a member upon payment of their dues.
- b. The annual dues shall be determined by the Executive Board and voted upon by the members at the last Board meeting of the school year.
- c. The PTO shall conduct an annual enrollment of members but may admit persons to membership at any time.
- d. A PTO membership card constitutes one vote. A family may have more than one member of the PTO.

#### **ARTICLE V – OFFICERS AND THEIR ELECTION**

SECTION 1. Each officer of this PTO shall be a member of this PTO. The Executive Board shall consist of the officers of the organization and the principal of the school on an advisory level, or a representative appointed by the principal on an advisory level, and a faculty representative all of whom shall be members of this PTO.

## SECTION 2.

- a. Officers of this organization shall be: President/Co-Presidents, Vice President/Co-Vice Presidents, Recording Secretary, Website Secretary and Treasurer, school principal and the past years PTO President (acting in an advisory role). In the case the past President is unable to fulfill this role another member of the past years Executive Board may be appointed. These officers shall be elected annually. Candidates will be presented in the spring to the Board and voted on at the last Board meeting of the year. The consent of each candidate must be obtained before the name is placed in nomination.
- b. Those persons seeking the office of the President shall be required to have previous experience serving in an executive capacity and/or board position of a PTO or association.
- c. Those persons seeking the office of Treasurer shall be required to have financial or computer experience.

## SECTION 3.

- a. Nominations for office shall be made by a Nominating Committee, which shall be appointed by the Executive Board of the organization at least two month prior to the annual election meeting.
- b. The Nominating Committee shall be composed of two chairman appointed by the Executive Board. Chairmen will select additional three to five members to serve on the Nominating Committee. All members should be representative of various grade levels and development locations zoned to the school.
- c. No member shall serve on the Nominating Committee for two (2) consecutive years.
- d. The Nominating Committee shall accept nominations for at least 14 days. A ballot of candidates will be announced at the last meeting prior to the election meeting. Nominations for office may be taken from the floor during that meeting. Nominations will be accepted from all members of the organization.
- e. Only those persons who are eligible and who have signified their consent to serve if elected shall be nominated for or elected to office.
- f. All voting will be conducted using printed ballot. Absentee ballots will be accepted up to 24 hours prior to the election. Write-in candidates may be indicated on the printed ballot. If a write-in candidate is elected, approval of office must be obtained from the candidate.
- g. All members with dues up to date (a family PTO card is one vote) will be sent a ballot at least 14 days prior to the election to be held at the last Board meeting in the school year.

SECTION 4. The privilege of holding office shall be limited to members of the organization whose dues are paid and who have been members of the organization for at least thirty (30) days previous to nomination.

## SECTION 5.

- a. Election shall be held by ballot at the annual election meeting.
- b. Absentee ballots shall be submitted at least 24 hours prior to the annual election meeting.
- c. Ballots shall be distributed two weeks (14 days) prior to the annual election meeting.

SECTION 6. Officers shall serve for a term of one year or until their successors are elected. No officer shall be eligible to the same office for more than two consecutive terms or hold more than one elected office. Officers shall assume their duties on the last day of school, with the exception of the Treasurer who will have restrictive duties until the financial records have been closed out. A person who has served in an office for more than six months of a full term shall be deemed to have served a full term in such office.

SECTION 7. A person appointed by the Executive Board may fill a vacancy occurring in any office for the remaining term. Appointment to fill a vacancy shall require a majority vote of the Executive Board within ten (10) days of the vacancy. In case a vacancy occurs in the office of President, the Vice President shall assume the duties of President. In case a vacancy occurs in the office of Co-Presidents, the Co-President shall assume all the duties of President.

SECTION 8. The President-elect may call meetings as necessary of the officers-elect and the principal of the school, or a representative appointed by the principal, to ratify the appointments of appointed offices and to make plans for the coming year's work.

SECTION 9. If an office remains unfilled after election, it shall be considered a vacant office to be filled by the Board-elect.

## **ARTICLE VI – DUTIES OF OFFICERS**

SECTION 1. The President shall:

- a. Coordinate the work of the Executive Board and committees of the organization in order that the objectives may be accomplished.
- b. Be responsible for collecting information needed to evaluate projects which PTO funding and/or sponsorship is sought.
- c. Be responsible for collecting and evaluating all reports of the Executive Board and committees annually.
- d. Preside at all meetings of the organization and the Executive Board.
- e. Be a member ex officio of all committees except the Nominating Committee.
- f. Perform such other duties as may be prescribed in these by-laws or assigned by the organization.
- g. Be the chairman for the PTO Membership drives.
- h. Keep a current list of PTO members and their dues in the PTO Office at the School.
- i. Have all contracts and/or legally binding documents approved by the organization, prior to signing.

SECTION 2. The Vice President shall:

- a. Be responsible for volunteers in the school.
- b. Be responsible for volunteers working on specific school, teacher or classroom projects off school property. (i.e. grading papers, cutting out, etc.)
- c. Be responsible for recruiting, scheduling, coordinating volunteers as needed for special events and/or various ongoing projects.
- d. Be an ex officio member of standing and special committees' associated with such projects.
- e. In the absence or inability of the President to perform the duties of that office, the Vice President shall perform the duties of the President.

SECTION 3. Secretaries

The Recording Secretary shall:

- a. Notice all Board members of upcoming Board meetings at least one week in advance.
- b. Keep an accurate record of the proceedings of all Board meetings of the organization and the Executive Board in a notebook, which is the record of this PTO organization to be kept in the PTO Office.
- c. Be prepared to refer to minutes of previous meetings.
- d. Prepare a list of all unfinished business for the use of the President.
- e. Record all expenditures in the minutes.
- f. Keep a current copy of the by-laws and standing rules.
- g. Perform such other duties as may be delegated to the Secretary.
- h. Solely responsible for the PTO Newsletter-The Dragon's Breath-issues to be published first week of each month.
- i. Record attendance of all PTO Board meeting.

The Website Secretary shall:

- a. Maintain the Dan Mills website.
- b. Keep current activities and information on Website.
- c. Be responsible to have all pages current.

SECTION 4. The Treasurer shall:

- a. Keep permanent books of account and records that shall be sufficient to establish the items of gross income, receipts and disbursements of the organization, and the number dues paying members. The books of account and records shall at all reasonable times be open to inspection by any member of the organization.
- b. Receive all monies for the organization, giving a receipt, and depositing them in the name of the organization in a bank approved by the executive board.
- c. Receive and retain a copy of the deposit slip for any deposit made.
- d. Secure two signatures on all checks. The following officers are authorized to sign: Treasurer, Faculty Representative and School Principal. The authorized signers shall not be related by blood, marriage or reside at the same address.

- e. Keep an accurate record of receipts and disbursements in a ledger that is a permanent record of this PTO. All other financial records must be retained for three years including the current year.
- f. Keep the membership informed of expenditures as they relate to the budget adopted by the organization.
- g. Be prepared to present a statement of account at every meeting of the organization.
- h. Be responsible for filling out and forwarding all necessary tax forms required by any government agency to an independent agent for completion.
- i. Make an annual report to the organization that includes gross receipts and disbursements for the year.
- j. The bank statement shall be mailed to the Faculty Representative at the school
- k. Be responsible for all fundraising activities led by the PTO.

SECTION 5. Reports shall be compiled annually by all officers and committee chairs and filed with the President.

SECTION 6. When an officer fails to attend three (3) consecutive meetings without adequate excuse or is not fulfilling the responsibilities of the office as prescribed in the by-laws, standing rules or engages in conduct injurious to the organization or its purposes, the Executive Board may, by two-thirds (2/3) affirmative vote, declare the office vacant.

SECTION 7. All officers shall perform the duties prescribed in the current edition of ROBERT'S RULES OF ORDER NEWLY REVISED in addition to those outlined in these by-laws and those assigned from time to time. Upon the expiration of the term of office or in case of resignation or termination, each officer shall turn over to the President, without delay, all records, books and other material pertaining to the office and shall return to the Treasurer, without delay, all funds belonging to the organization.

## ARTICLE VII – ORGANIZATION MEETINGS

SECTION 1. The first meeting of the PTO Executive Board shall be held in the month of August of the school year. Subsequent meeting shall be held in the second week of September, October, November, December, January, February, March, April, and May of the school year unless otherwise ordered by the organization or the Executive Board. The Executive Board upon written notice may call special meetings at least three (3) days before the meeting date.

SECTION 2. The organization meeting in May shall be the annual election meeting at which time officers shall be elected.

SECTION 3. The privilege of making motions, debating and voting shall be limited to members of the organization who are present at the meeting.

SECTION 4. Nineteen (19) voting members shall constitute a quorum for the transaction of business in any meeting of this organization.

SECTION 5. Request for expenditures of funds needs to be submitted to the Executive Board 72 hours prior to the monthly meeting of the board. The Executive Board is granted discretion regarding the timeframe of request.

## **ARTICLE VIII – DUTIES OF THE EXECUTIVE BOARD**

SECTION 1. The Executive Board shall consist of officers of the organization and the principal of the school on an advisory level, or a representative appointed by the principal on an advisory level, and a Faculty Representative all of who shall be members of this PTO.

SECTION 2. The Executive Board:

- a. Shall transact business of the organization.
- b. May authorize the payment of routine organizational bills within the limits of the budget adopted by the organization, and may authorize the payment of other bills between meetings of the organization.
- c. Shall create committees as are deemed necessary to promote the purposes and to carry on the work of the organization.
- d. Shall fill all vacancies in office, including that of President.
- e. Shall present a report of actions taken at meetings of the organization.
- f. Shall receive a financial report from the Treasurer at each meeting.

SECTION 3. The Executive Board is subject to the orders of the organization, and none of its acts shall conflict with action taken by the organization.

SECTION 4. A PTO member shall not serve as a voting member of this Executive Board while serving as a paid employee of or under contract to this PTO.

SECTION 5. The Executive Board meetings shall be held at least once a month starting in August during the school year, unless other ordered by the Executive Board. Subsequent meeting shall be held in the second week of September, October, November, December, January, February, March, April, and May. The President may call special meetings of the Executive Board. The President must call a special meeting upon the written request of three (3) members. Special meetings must be held within ten (10) days of receipt of a written request. All members must be notified of special meetings.

SECTION 6. Three (3) members shall constitute a quorum for the transaction of business in any meeting of the Executive Board.

## **ARTICLE IX – COMMITTEES**

SECTION 1. There shall be such committees created by the Executive Board as may be required to carry on the work of the organization. The Executive Board will appoint the chairman. The chairmen and members of committees shall be members of this PTO.

SECTION 2. The term of office for chairmen shall be from the time one is appointed and accepts until after he/she turns in all records, books and other material pertaining to the chairmanship.

SECTION 3. The chairmen shall present plans of work to the Executive Board. Reports shall be compiled annually by all chairmen and filed with the President.

SECTION 4. When a committee is not represented at three (3) consecutive meetings without adequate excuse or its members are not fulfilling his/her responsibilities, the Executive Board, by a two-third (2/3) affirmative vote may declare the chairmanship vacant.

SECTION 5. Upon the expiration of the term of office or in case of resignation or termination, each chairman shall turn over to the President, without delay, all records, books and other material pertaining to the chairmanship, and shall return to the Treasurer, without delay, all funds belonging to the organization.

SECTION 6. The organization and the Executive Board each have the power to create special committees in order to carry out specific programs and projects. The chairmen and members of special committees shall serve until their assignments have been completed.

## **ARTICLE X – ARTICLES OF ORGANIZATION AND BY-LAWS**

SECTION 1. The “articles of organization” of this PTO comprise these by-laws. In the absence of separate articles of organization, these by-laws shall govern. In the event of any conflict between these by-laws and the articles of organization, these by-laws shall govern.

SECTION 2. A By-Laws Committee shall revise by-laws every three years. The Executive Board shall appoint the committee chair of the By-Laws Committee.

## **ARTICLE XI-FISCAL YEAR AND IRS NUMBER**

SECTION 1. The fiscal year of this PTO shall begin August 1<sup>st</sup> and end July 31<sup>st</sup>.

SECTION 2. The Internal Revenue Service Employer Identification (E.I.) number for this PTO is 62-0717138.



## ARTICLE XII-PARLIAMENTARY AUTHORITY

The rules contained in the current edition of ROBERT'S RULES OF ORDER NEWLY REVISED shall govern this organization in all cases in which they are applicable and in which they are not in conflict with these by-laws.

## ARTICLE XIII-AMENDMENTS

SECTION 1. These by-laws may be amended by a two-thirds (2/3) vote, with a quorum of nineteen (19) voting members, provided notice has been given at the previous meeting, OR thirty (30) days written notice has been given to the membership. These by-laws may be amended provided the Executive Board has approved the amendment.

## STANDING RULES

1. At the beginning of his/her term of office, each member of the Executive Board shall be given a copy of these by-laws and shall be responsible for making a thorough study of them. A copy of these by-laws shall be made available to any member of the organization upon request.
2. At least twenty-four (24) hours notice, in writing, must be given to the President in order to have an item of business or an announcement placed on the Executive Board or organization agenda.
3. Any non-PTO material to be distributed at an organization meeting must be approved by the Executive Board prior to the meeting.

NOTE: Standing rules may be adopted by a majority vote at any organization meeting. \*Amendments to standing rules require a two-thirds (2/3) vote without previous notice, a majority vote with such notice. Standing rules should be procedural rather than parliamentary and may not conflict with the by-laws.\* (see Article VII, section 4.)

(revised 09/22/2002)