

# HOMMEL ELEMENTARY

## PTO BY-LAWS

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308 West Enon, Everman, Texas 76140

Telephone No. (817) 568-3540

### **ARTICLE I. NAME**

The name of this organization shall be the Hommel Elementary PTO.

### **ARTICLE II. MISSION STATEMENT**

The purpose of the Hommel Elementary PTO is to support and improve the relationship between teachers and parents; promote the welfare of our students and provide enriching experiences for all students; and support a safe learning environment for children, staff, and educators.

### **ARTICLE III.**

The PTO will be identified as follows:

- The Executive Board will consist of the President, Vice President, Secretary, Treasurer, and Principal. Office positions can be shared. The school principal, or his/her designee, is a voting member of the Executive Board.
- The General Board will consist of all voting and non-voting members.
- General membership will consist of all parents and teachers of Hommel Elementary.

### **ARTICLE IV. BASIC POLICIES**

The following are the basic policies of the PTO:

Section 1: The PTO shall be noncommercial, nonsectarian, and nonpartisan.

Section 2: The name of this PTO or the names of any of its members in their official capacity shall not be used in any interest or for any purpose not appropriately related to promotion of the objectives of this PTO.

Section 3: The PTO recognizes that the legal responsibility to make decisions regarding school policy has been delegated by the people to boards of education.

Section 4: The Principal and/or designee shall maintain the right to approve/disapprove all decisions and activities of this PTO.

Section 5: This PTO may cooperate with other organizations or agencies concerned with child welfare. Persons representing this PTO in such matters shall make no commitments that bind this PTO unless approved by a majority vote of this organization.

Section 6: This PTO shall not, directly or indirectly, participate or intervene in any way, including the publishing or distribution of statements, in any political campaign on behalf of or in opposition to, a candidate for public office.

Section 7: In the event of dissolution of this organization, its assets shall be distributed for one or more of the exempt purposes specified in Section 501(c)(3) of the Internal Revenue Code of 1954, as amended.

## **ARTICLE V. ARTICLES OF INCORPORATION**

The Hommel Elementary PTO exists as an incorporated organization of its members. Its “Articles of Incorporation” comprise these bylaws and may be amended from time to time. In the event of any conflict between bylaws and the Articles of Incorporation, these bylaws shall govern.

## **ARTICLE VI: MEMBERSHIP AND DUES**

Section 1: Membership in the PTO shall be made available to any individual who subscribes to the objective and basic policies of these by-laws, without regard to race, color, creed, sex, or national origin.

Section 2: Only members of the PTO shall be eligible to participate in the general elections or to serve in any of its elective or appointive positions.

Section 3: The PTO shall conduct an annual enrollment of members. Persons may be admitted to membership at any time.

Section 4: Membership shall coincide with the fiscal year identified as July 1<sup>st</sup> to June 30<sup>th</sup>.

Section 5: At the transition meeting each year, the PTO board will decide whether or not fees will be collected for membership for the upcoming year.

## **ARTICLE VII: ELECTION OF OFFICERS AND APPOINTMENT OF COMMITTEE CHAIRPERSONS**

Section 1: Only members of this PTO shall be eligible to serve in any elective or appointive positions.

Section 2: Election of Officers:

- a. The officers of the PTO shall consist of a President, Vice President, Secretary, and Treasurer.

- b. Officers of the PTO are encouraged to serve for a term of two years. A term is defined as one year. There is no limit on the number of terms that a member can serve in any position.
- c. In January, letters of intent will be sent to current PTO Board members to determine which member are returning and/or running for office.
- d. In May of each year, all available positions will be identified and announced to the general membership, sent through means deemed appropriate by the PTO Board. Although a current member indicates their desire to return to the board in their current position that position will still be listed as available.
- e. By mid-May of each year, the Executive Board will inform the general membership of persons interested in each office position. If there are no candidates within the timeframe specified to announce interest in a PTO Board position the PTO Board/Nominating Committee will fill the positions.
- f. In August of each year, officers shall be elected by secret ballot by the general membership at a general PTO meeting. Only members can vote. No nominations will be accepted from the floor on the night of the vote.
- g. Officers shall assume their official duties in August at the beginning of the school year.

Section 3: Appointment of Chairpersons of Standing Committees:

- a. Nominations will be made by the Nominating Committee and presented to the Executive Board. The Executive Board will review the nominations and appoint a Chairperson(s) for each Standing Committee by the August meeting.
- b. Chairpersons of Standing Committees shall assume their official duties at the beginning of the school year.
- c. The term of each Chairperson shall be for one year. As previously stated, there is no limit to the number of terms a member can serve. (Article VII, Section 2b).

Section 4: Nominating Committee

- a. The Nominating Committee will consist of two current PTO Board members, the Principal, Vice-Principal and two faculty members. The Nominating Committee shall be “appointed by the PTO Board” and selected by the membership of the PTO Board in January. This Committee shall elect its own Chairperson. The incumbent President of this PTO and Vice-President of this Board may sit on the Nominating Committee as a consultant only.
- b. After surveying the membership for interested individuals and then speaking with the individuals to determine their qualifications, the Nominating Committee shall nominate an eligible person(s) for each position to be filled and reports its nominees to the PTO Board

at the March meeting. Someone wishing to run for the board may not be eliminated by the Nominating Committee.

- c. Only those persons who have indicated their desire to serve if elected shall be nominated for each position.
- d. The Nominating Committee will identify to the general community by March, who the candidates for office are as well as their qualifications for the position.
- e. To be a member of the PTO Board, you must be a member in good standing.
- f. The Nominating Committee will decide annually whether to keep, add, or delete any or all standing committees. The Nominating Committee will decide which committees have a vote and how many votes each committee will have.

Section 5: Vacancies

A vacancy occurring in any office, at any time, shall be filled for the un-expired term by a person elected by a majority vote of the PTO Board. Notice of such election shall be given to the Board at least one week prior to the PTO Board's action. In the case of a vacancy occurring in the office of President, the Vice President shall serve notice of the election.

**ARTICLE VIII: DUTIES OF OFFICERS**

Section 1: The President shall preside at all meetings of the PTO and of the Executive Board; shall perform such other duties as may be prescribed in these by-laws or assigned to him/her by the PTO or by the Executive Board, shall coordinate the work of the officers and committees of this PTO in order that the objective may be promoted, and shall retain all official records of the PTO.

Section 2: The Vice President shall act as an aide to the President and shall be a member of the Executive Board and, in the absence of the President, shall perform any and all the duties of the President. The Vice President shall have knowledge of these by-laws and Robert's Rule of Order; and will be responsible for ensuring accountability and integrity of all Officers and PTO members in upholding these by-laws.

Section 3: The Secretary shall record the minutes of all meetings of this PTO and of the PTO Board; shall maintain a current and accurate roster of the membership; and shall perform such other duties as may be delegated. In the event it is decided that members will pay dues, the Secretary will be responsible to track membership and report membership to the Executive Board.

Section 4: Treasurer

- a. The Treasurer shall have custody of all funds of this PTO; shall keep a full and accurate account of receipts and expenditures; and, in accordance with the budget adopted by this PTO, shall make disbursements as authorized by the President, Executive Board, or this PTO.
- b. The Treasurer shall present a financial statement at every meeting of this PTO and at other times when requested by the Executive Board, and shall make a full report at the new school year transition meeting at which new officers officially assume their duties. These financial statements shall be posted in the minutes or on the bulletin boards.
- c. The Treasurer shall keep permanent books of account and records as shall be sufficient to establish the items of gross income, receipts and disbursements of the PTO. The Treasurer will inform the President of monthly reconciliations of bank statements and PTO account ledger receipts.
- d. The Treasurer's accounts shall be examined annually by an auditor or an auditing committee. At the beginning of the new school year before voting on the new school years budget.
- e. The Treasurer shall maintain this PTO's checking account. The checks must be signed by a minimum of two officers including the Treasurer and/or the President and Vice President.
- f. The Treasurer shall file IRS-990 at the end of each fiscal year in accordance with IRS regulations; when this PTO has 501(c)(3) status.
- g. An officer can be removed from office for failure to fulfill his/her duties, after reasonable notice, by a majority vote of the Executive Board.

Section 5: All Officers shall:

- a. Perform the duties prescribed in the parliamentary authority, Robert's Rules of Order, in addition to those outlined in these by-laws and those assigned from time to time.
- b. Deliver to their successors all official material not later than ten days following the meeting at which new officers assume their duties.

**ARTICLE IX: EXECUTIVE BOARD**

Section 1: The duties of the Executive Board shall be:

- a. To transact the necessary business in the intervals between organization meetings and such other business as may be referred to it by the organization.
- b. To create standing and special committees.

- c. To approve the plans of work of the standing and special committees.
- d. To present a report of the committees' meetings at the general meeting of the organization.
- e. To select an auditor or an auditing committee to audit the Treasurer's accounts.
- f. To prepare and present a fiscal year budget at the first general meeting of the year.
- g. To approve expenditures within the limits of the budget.
- h. To review the by-laws annually and ensure that the by-laws are updated at a minimum of every three (3) years.

Section 2: The Executive Board will be authorized an emergency discretionary fund not to exceed one hundred fifty dollars (\$150) for any single purchase. There will be a cap of \$400 on this fund for each school year.

**ARTICLE X: STANDING AND SPECIAL COMMITTEES**

Section 1: The Nominating Committee and Executive Board may create Standing Committees, as it may deem necessary, to promote the objectives and carry on the work of this PTO.

Section 2: No committee work shall be undertaken without the consent of the PTO Board.

Section 3: The power to form special committees and appoint their members rests with the Executive Board, the President or the presiding Officer in the President's absence. A member of this committee does not have to be a member of the PTO.

**ARTICLE XI: FACULTY REPRESENTATIVES**

The Principal shall appoint Faculty Representatives. They shall serve a term from July to June of each year.

**ARTICLE XII: MEETINGS AND VOTING**

Section 1: Meetings of the PTO Board shall be held during the year, the time to be announced by the PTO Board at its first meeting of the year.

Section 2: Dates of the general meetings shall be determined by the Executive Board and announced via school calendar. Seven days notice shall be given of a change in date. A minimum of three general meetings will be held annually.

Section 3: Special meetings of this PTO may be called by the President or by a majority of the Executive Board with seven days' notice when possible.

Section 4: The election meeting shall be held in August. All members present at this general meeting are eligible to participate. Proxy votes will not be eligible in election votes. In the event of two person running for the same office, the winner is determined by a majority vote.

Section 5: A quorum shall be constituted as only voting members of this PTO who are present for the transaction of business in any meeting of this PTO. Proxy votes would be accepted only when agenda item has been discussed at a prior meeting of this PTO. Two thirds of eligible voting PTO members present and/or their proxy, will constitute a quorum for all business transactions.

Section 6: In a general election with two person running for the same office, if no person receives a majority of the votes cast, a run-off between the two (2) persons who received the largest number of votes shall immediately be held.

### **ARTICLE XIII: FINANCIAL POLICIES**

Section 1: FISCAL YEAR – The fiscal year of the PTO begins August 1 and ends July 31 of the following year.

Section 2: BANKING – All funds shall be kept in a checking account in the name of Hommel Elementary PTO requiring two signatures of the Executive Board and held at a local financial institution.

Section 3: REPORTING – All financial activity shall be recorded in a computer based or manual accounting system. The treasurer shall reconcile the account(s) monthly and report all financial activity monthly. The PTO shall arrange an independent review of its financial records each year.

Section 4: ENDING BALANCE – The organization shall leave a minimum of \$500.00 in the treasury at the end of each fiscal year.

Section 5: CONTRACTS – Authority to sign contracts is limited to the President or the President's designee.

### **ARTICLE XIV: PARLIAMENTARY AUTHORITY**

Section 1: The most current edition of Robert's Rules of Order shall govern this PTO in all cases in which they are applicable and in which they are not in conflict with these by-laws.

Section 2: Robert's Rules of Order are for conducting fair and orderly process of meetings.

**ARTICLE XV: AMENDMENTS**

These by-laws may be amended or revised at a special meeting called by the Executive Board of this PTO. Changes or revisions must be approved by a two-thirds vote of the PTO Board.

**ARTICLE XVI: SPECIAL PROCEDURES FOR ORGANIZATION**

Until the time as the President and other Officers are elected, the temporary chairperson, appointed by the Principal, has the authority of the President.