

Bylaws of the Fiske School PTO, Inc
Lexington, Massachusetts

April 2nd, 2008

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Article 1 Name

The name of this organization is Fiske School PTO, Inc., of Lexington, Massachusetts. For convenience, the organization shall be referred to in these bylaws as Fiske School PTO.

Article 2 Purposes

Section 1: The purposes of Fiske School PTO are:

- a) To promote the welfare of children and youth in home, school and community.
- b) To bring into closer relation the home and the school, that parents and teachers may co-operate intelligently in the education of children and youth.
- c) To develop between educators, the general public and the Lexington School District as a whole, such united efforts as will secure for all children and youth the highest advantages in physical and social education.
- d) To assist at the school 's request whenever possible in establishing, continuing or adapting any initiative and/or idea beneficial to the curriculum, school environment or staff.

Section 2:

The purposes of Fiske School PTO are promoted through an advocacy and educational program directed toward parents, teachers, and the general public; developed through conferences, committees, projects and programs; and governed and qualified by the basic policies set forth in Article 3.

Section 3:

The organization is organized exclusively for the charitable, scientific, literary or educational purposes within the meaning of Section 501 (c) (3) of the Internal Revenue Code or corresponding section of any future federal tax code (hereinafter "Internal Revenue Code").

Article 3 Basic Policies

The following are basic policies of Fiske School PTO:

- a) The organization shall be non-commercial, non-sectarian and non partisan.
- b) The organization shall work with the schools and community to provide quality education for all children and youth 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 boards of education, state authorities and local education authorities.
- c) The organization shall work to promote the health and welfare of children and youth and shall seek to promote collaboration between parents, schools and the community at large.
- 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 to distributors in furtherance of the purposes set forth in Article 2 hereto.
- e) Notwithstanding any other provision of these articles, the organization shall not carry on any other activities not permitted to be carried on (i) by an organization exempt from federal income tax under Section 501 (c) (3) of the Internal Revenue Code or (ii) by an organization, contributions to which are deductible under section 170 (c) (2) of the Internal Revenue Code.
- f) Upon the dissolution of the 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 that have established their tax exempt status under Section 501 (c) (3) of the Internal Revenue Code.
- g) The organization may cooperate with other organizations and agencies concerned with child welfare, but PTO representatives shall make no commitments that bind the group they represent (parents).

Article 4 Relationship with State and Federal Agencies

Section 1 The following are documents that are required for Fiske School PTO to meet the requirements of governing State and Federal Agencies:

- a) Has current bylaws.
- b) Has Employer Identification number (EIN).
- c) The articles of organization of this PTO include a) the bylaws of such organization and b) the articles of incorporation of such organization.
- d) An annual report must be filed with the State of Massachusetts on or before November 1st each year. The report must include the name of the corporation, the street address of its principal office, the date of its last preceding annual meeting, and names and addresses of all officers and directors, and the date at which the term of office of each expires.

Section 2 This PTO may dissolve and wind up its affairs in the following manner:

- a) The executive committee shall adopt a resolution recommending the PTO dissolve and directing that a question of such dissolution be submitted to a vote at a special meeting of members having voting rights. Written, printed or emailed notice stating purpose of such meeting is to consider the advisability of dissolving the local PTO shall be given to each member at least thirty (30) days prior to the date of such meeting.
- b) Only those persons who were members in good standing of the PTO on the date of the adoption of the resolution and who continue to be members in good standing on the date of the special meeting shall be entitled to vote on the question of dissolution.
- c) Approval of dissolution of the PTO shall require the affirmative vote of at least two-thirds of the members present and entitled to vote at the special meeting, a quorum being present. However, before the final vote can be taken, the members must decide how to dispose of the property and assets of the unit in accordance with Section 501 (c) (3) of the Internal Revenue Code (Article 3 f).

Article 5 Members and Dues

Section 1

Any parent, guardian or other adult standing *in loco parentis* for a student at the school may be a member and shall have voting rights. The principal and any classroom teachers employed at the school may be a member, having voting rights and have their dues waived.

(We should bring this to the attention of teachers next year as a benefit ... but remember to add the additional directories needed to the number we order!!)

Section 2

Membership in this local PTO shall be made available without regard to race, color, religion creed or national origin.

Section 3

Dues will be established by the executive committee. A member must pay his or her dues prior to any PTO vote to be considered a member in good standing with voting rights. If a person who is eligible to become a member would like to apply for scholarship to pay the due, this can be arranged through the Fiske Elementary School principal.

Section 4

Voting by proxy is prohibited.

Section 5

Those persons present at a properly called meeting shall be designated as a quorum.

Article 6 Officers

Section 1

The officers of this PTO shall be a president or co-president, a vice president or co-vice president, a secretary and a treasurer or co-treasurer.

Section 2

Officers shall be elected by a membership vote in the month of May. Committee Chairs shall be elected by a membership vote in June.

Section 3

The vote shall be conducted by ballot. When there is but one candidate for an office, the ballot for that office may be dispensed with and election held by voice vote. A majority vote shall be required for the election.

Section 4

The following provisions shall govern the qualifications and eligibility of individuals to be officers of Fiske School PTO:

- a) Each officer shall be a member of this PTO.
- b) No officer may be eligible to serve more than 2 consecutive terms in the same office, except in that situation where a qualified officer has agreed to extend their term in the absence of a qualified successor and as approved by the PTO membership.
- c) A person who has served in an office for more than one half of a full term shall be deemed to have served a full term in such office.

Section 5

Officers shall assume their official duties following the close of the last day of school and shall service for a term of two years or until their successors are elected.

Section 6

A vacancy occurring in the office of the president shall be filled for the remainder of the un-expired term by the vice president. A vacancy in any other office other than the president shall be filled by the executive board / committee.

Section 7

There shall be a nominating committee composed of five members, and chaired by the vice president or co vice presidents, who shall be elected by this local PTO at a regular general membership meeting at least one month prior to the election of officers, as outlined in Article 6, section 2.

- a) The nominating committee shall nominate an eligible person for each office to be filled and report its nominees at the regular general membership meeting in May at which time additional nominations may be made from the floor. A fifteen day notice should be given to the membership.
- b) Only those individuals who are current members of this local PTO and who have signified their consent to serve if elected shall be nominated for, or elected to, such office.
- c) The Nominating Committee shall be responsible for identifying committee chairpersons and presenting those candidates to the membership for approval at the Annual Meeting in June.

Section 8

When an officer fails to attend four (4) consecutive meetings without adequate excuse or when an officer is not fulfilling the responsibilities of office as prescribed in the bylaws, or engages in conduct which the executive board / committee determines to be injurious to the organization or its purposes, the executive board / committee may by a two-thirds (2/3) affirmative vote, take such action as it determines appropriate, which may include:

- 1) asking for the resignation of the officer,
- 2) making a formal recommendation that the officer be removed from office following a hearing conducted in accordance with Due Process.*

Due Process Procedures:

An officer may be removed from office by the following procedure:

- 1) The officer must be given fifteen days written notice of a private meeting of the executive committee to discuss their removal from office.
- 2) At the meeting, the officer must be given an opportunity to address the executive committee, either orally or in writing.
- 3) After the meeting, the entire executive committee must vote whether the officer will be removed.
- 4) A two-thirds vote of the executive committee shall be sufficient to remove the officer from office.
- 6) The removal vote shall be recorded in the executive committee minutes.

Article 7 Duties of Officers

The president or co-presidents shall:

- a) Preside at all meetings of this PTO.
- b) Serve as an ex-officio member of all committees except the nominating committee.
- c) Coordinate the work of the officers and committees of this PTO in order that the objects may be promoted.
- d) May appoint a parliamentarian, subject to the approval of the general membership of the PTO.
- e) Perform such other duties as may be provided for by these bylaws, prescribed by the parliamentary authority, or directed by the executive committee.
- f) Be seen to take an active role in the school community and be approachable and accessible to staff, the general membership and new members of incoming children.
- g) Present the annual budget in conjunction with the treasurer / co-treasurers to the general membership.
- h) Act as liaison to the Principal and other school staff.
- i) Provide ongoing communication to the Fiske PTO membership about school issues and events.
- j) Collaborate with other PTAs / PTOs within the school district and the office of the Superintendent of Schools.

The vice president or co-vice presidents shall:

- a) Act as aide (s) to the president (s).
- b) Perform the duties of the president in the absence of inability of the president to serve.
- c) Act as chair or co-chair to the nomination committee to seek new nominations for the executive board annually.
- d) Perform other such duties as may be provided for by these bylaws, prescribed by the parliamentary authority, or directed by the president (s), executive committee or the membership.

- e) Be seen to take an active role in the school community and be approachable and accessible to staff, the general membership and new members of incoming children.

The secretary shall:

- a) Record the minutes of all meetings of the Fiske School PTO.
- b) Be prepared to read the records of any previous meetings.
- c) File and retain all records.
- d) Have a current copy of the bylaws.
- e) Maintain a membership list, with names and addresses of members.
- f) Perform other such duties as may be provided for by these bylaws, prescribed by the parliamentary authority, or directed by the president (s), executive committee or the membership.
- g) Be seen to take an active role in the school community and be approachable and accessible to staff, the general membership and new members of incoming children.
- h) Maintain and update the in-school PTO bulletin board with Fiske School PTO notices.

The treasurer or co-treasurer shall:

- a) Have custody of all the funds of this PTO.
- b) Maintain a full and accurate account of receipts and expenditures of this local PTO.
- c) Make disbursements as authorized by the president or executive committee, or this PTO in accordance with the budget adopted by this PTO.
- d) Have two people on the signature card for the checking account, the treasurer and one other person.
- e) Present an annual report of the financial condition of this local PTO at the meeting at which new officers officially assume their duties.
- f) If directed by the executive committee, have the accounts examined annual by an auditor elected by the membership or an audit committee of not few than three member who, satisfied that the treasurer's annual report is correct, shall sign a statement of that fact at the end of the report.

- g) If directed by the executive committee, have the accounts audited, when a person who has signature authority leaves the board. This is to be done by an audit committee selected by the executive board / committee at least two weeks before the meeting at which the officers assume their duties.
- i) File a form 990 or 990EZ with a Schedule A if gross receipts exceed \$25,000 annually with the IRS.
- j) File all necessary forms with the Massachusetts Attorney General's Office.
- k) Perform other such duties as may be provided for by these bylaws, prescribed by the parliamentary authority, or directed by the president (s), executive committee or the membership.
- l) Be seen to take an active role in the school community and be approachable and accessible to staff, the general membership and new members of incoming children.
- m) Prepare and present the annual budget with the president or co-presidents.

General

No two members of the same family may be on the signature card for this PTOs bank account.

All officers shall deliver to their successors all official materials no later than thirty days after the end of the school year, or upon resignation.

Article 8 Executive Committee

Section 1

The executive committee shall consist of the elected officers of Fiske School PTO, the principal of the school and a teacher representative.

Section 2

Special meetings of the executive committee may be called by the president or upon written request of five members within five days notice to each member of the executive committee.

Section 3

A majority of the executive committee shall constitute a quorum for the transaction of business.

Article 9 Committees

Section 1

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

Section 2

The executive committee may create such special committees as it may deem necessary to promote the purposes of the PTO and carry on the work of this PTO.

Section 3

The term of each chair shall be two years or until the selection of a successor.

Section 4

The chair of each committee shall present a plan of work to the executive committee for approval. No committee work shall be undertaken without the consent of the executive committee.

Section 5

When a chairman fails to attend three consecutive meetings without adequate excuse or when a chairman is not fulfilling the responsibilities of the office as prescribed in the bylaws, or engages in conduct which the executive committee determines to be injurious to the organization of its purposes, the executive committee may by a two-thirds affirmative vote, take such action as it determines appropriate, which may include:

- 1) Asking for the resignation of the chairman.
- 2) Making a formal recommendation that the chairman be removed from office.

Section 6

Upon the expiration of the term of office or in the case of the 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 association.

Section 7

The association and the executive committee have the power to create special committees in order to carry out specific programs and projects.

Section 8

The chairmen and members of special committees shall service until their assignments have been completed.

Article 10 General Membership Meetings

Section 1

At least five regular meetings of the association shall be held during the school year. Dates of the meetings shall be determined by the executive committee and announced at the first regular PTO meeting of the school year. Five days notice shall be given to the general membership of any change of date.

Section 2

Special meetings of the local PTO may be called by the president or by a majority of the executive committee. Five days notice having been given.

Section 3

The annual meeting shall be in May and shall be for the purpose of electing officers, receiving reports of officers and committees, and conducting any other business that may arise.

Section 4

All PTO members in good standing attending this meeting constitute a quorum for the transaction of business in any meeting of this PTO.

Section 5

The privilege of making motions, debating and voting at PTO meetings shall be limited to members of the association who are present and whose dues are paid.

Article 11 Fiscal Year

The fiscal year of this PTO shall begin July 1st and end on the following June 30th.

Article 12 Parlimamentary Authority

The rules contained in the current edition of Robert's Rules of Order Newly Revised shall govern Fiske School PTO and in all cases in which they are applicable and in which they are not in conflict with these bylaws, or the articles of organization.

Article 13 Amendments

Section 1

These bylaws may be amended at any regular general membership meeting of Fiske School PTO by a two-thirds vote of the members present and voting, as long as notice of the proposed amendments has been provided to the membership thirty days prior to the meeting.

Section 2

A committee may be appointed by a majority vote at a general meeting of this PTO, or by a tow-thirds vote of the executive committee of this PTO, to submit a revised set of bylaws as a substitute for the existing bylaws.

These Bylaws were adopted first via e-mail on April 9 2008 and then by the membership by a majority vote during a meeting properly called on May 14th 2008, and shall take effect immediately.

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Stacie Simon
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