

# Lakeview Elementary School

## Parent Teacher Organization Complete Bylaws

### Article I – Name

The name of the organization shall be the Lakeview Elementary PTO.

### Article II – Purpose

The group is organized for the purpose of supporting and enhancing the education of children at Lakeview Elementary by fostering relationships among the school, parents, and teachers, encouraging volunteerism, and helping to provide for supplemental educational items not provided in the school budget.

### Article III – Members

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 employee of the school may be a member and have voting rights.

### Article IV – Executive Board and Elections

**Section 1. Officers.** The Executive Board shall consist of a president, vice president, secretary, and treasurer. It is acceptable to have two people represent one office (i.e. co-presidents).

- a. **President.** The president shall preside over meetings of the organization and executive board, serve as the primary contact for the principal, represent the organization at meetings outside the organization, serve as an ex officio member of all committees except the nominating committee, and coordinate the work of all the officers and committees so that the purpose of the organization is served. Length of term is one year.  
The president shall also prepare an agenda for each meeting and publicly post the agenda at the school 48 hours in advance of each PTO meeting. The president shall preside at all PTO meetings.
- b. **President Going Out.** The president going out shall advise and assist the current president when necessary, and shall attend PTO meetings through October of the school year immediately following the year of his/her presidency.
- c. **Vice President.** The vice president shall assist the president and carry out the president's duties in his or her absence or inability to serve. The length of term is one year. The vice president shall automatically assume the presidency the following term.
- d. **Secretary.** The secretary shall keep all records of the organization, take and record minutes, and handle correspondence. The secretary also keeps a copy of the minutes book, bylaws, rules, membership list, and any other necessary supplies, and brings them to meetings. The length of term is one year.
- e. **Treasurer.** The treasurer shall receive all funds of the organization, keep an accurate record of receipts and expenditures, and pay out funds in accordance with the approval of the executive board. He or she will present a financial statement at every meeting and at other times of the year when requested by the executive board, and make a full report at the end of the year. The length of term is one year.

**Section 2. Nominations and Elections.** Elections will be held annually at the last meeting of the school year. At the second to last meeting of the school year, current officers will be expected to state their intent on continuing their duties for the following school year. Following this meeting, but prior to the last meeting of the school year, all members of PTO will be asked to nominate individuals for office. At the last meeting of the school year, nominations for office may also be made from the floor. All nominations shall be considered. Voting shall be by voice vote if a slate is presented, or, if more than one person is running for a specific office, a ballot vote shall be taken.

**Section 3. Eligibility.** All members are eligible for office.

**Section 4. Terms of Office.** Officers may serve no more than two consecutive terms in the same office unless no other members have expressed interest in filling that office. Each person elected shall hold only one office at a time. The length of office is one year, running from September through September.

**Section 5. Vacancies.** If there is a vacancy in the office of president, the vice president will become the president. At the next regularly scheduled meeting, a new vice president will be elected. If there is a vacancy in any other office, members will fill the vacancy through an election at the next regular meeting.

**Section 6. Removal from Office.** Officers can be removed from office with or without cause by a two-thirds vote of those present (assuming a quorum) at a regular meeting where previous notice has been given.

**Section 7. Withdrawal from Office.** Officers may withdraw from the PTO by delivering to the Principal, President, or Secretary a written resignation, or by giving a verbal resignation at a regular PTO meeting. Such notice of the resignation shall be recorded in the official meeting minutes.

#### **Article V – Meetings**

**Section 1. Regular Meetings.** The regular meeting of the PTO shall be at a time and place determined by the executive board at least one month before the meeting. Meeting time and place must be communicated to the Lakeview community 48 hours before the meeting takes place.

**Section 2. Special Meetings.** Special meeting may be called by the president, any two members of the executive board, or five general members submitting a written request to the secretary. Previous notice of the special meeting shall be sent to the members at least 24 hours prior to the meeting.

**Section 3. Quorum.** A majority of the members of the PTO shall constitute a quorum. The act of a majority of the members present shall be the act of the PTO provided the quorum is in attendance.

#### **Article VI – Executive Board**

**Section 1. Membership.** The Executive Board shall consist of the elected officers.

**Section 2. Duties.** The duties of the Executive Board shall be to transact business between meetings in preparation for the general meeting, create standing rules and policies, create standing and temporary committees, prepare and submit a budget to the membership, approve routine bills, and prepare reports and recommendations to the membership.

**Section 3. Meetings.** Regular meetings shall be held monthly, to be determined by the board. Special meetings may be called by any two board members, with 24 hours' notice.

**Section 4. Quorum.** Half of the executive board members plus one PTO member constitutes a quorum.

#### **Article VII – Committees**

**Section 1. Membership.** Committees may consist of members and board members, with the president and vice president acting as an ex officio member of all committees.

**Section 2. Types of Committees.** The board may appoint committees as needed. Examples of standing committees include the Gardening, Staff Appreciation, 5<sup>th</sup> Grade Yearbook, and 5<sup>th</sup> Grade Breakfast committees.

**Section 3. Record Keeping.** All committees shall keep records of business conducted throughout the year. Notes shall be kept and reported at official PTO meetings, or given to the vice president to report at meetings.

**Section 4. Communication with Executive Board.** Committee Chairpersons will present work plans and recommendations to the PTO for approval. Each committee may make a report through its chairperson at each regular PTO meeting.

**Article VIII – Finances**

**Section 1.** A tentative budget shall be drafted prior to the start of each school year and approved by a majority vote of the executive board.

**Section 2.** The treasurer shall keep accurate records of any disbursements, income, and bank account information.

**Section 3.** The board shall approve all expenses of the organization.

**Section 4.** Two authorized signatures shall be required on each check over the amount of \$1,000. Authorized signers shall be the treasurer and principal.

**Section 5.** The treasurer shall prepare a financial statement at the end of the year.

**Section 6.** An audit of the finances will be completed upon the exiting of the treasurer, due to either the term of office expiring, or withdrawal or resignation from office, every three years, or whichever event comes first.

**Section 7.** Upon the dissolution of the organization, any remaining funds should be used to pay any outstanding bills and, with the membership's approval, spent for the benefit of the school.

**Section 8.** The fiscal year shall run from September through August.

**Article IX – Parliamentary Authority**

Robert's Rules of Order shall govern meetings when they are not in conflict with the organization's bylaws.

**Article X – Standing Rules**

Standing rules may be approved by the Executive Board, and the secretary shall keep a record of the standing rules for future reference.

**Article XI – Dissolution**

The organization may be dissolved with previous notice (14 calendar days) and a two-thirds vote of those present at the meeting.

**Article XII – Amendments**

These bylaws may be amended at any regular or special meeting providing that previous notice was given in writing at the prior meeting and then sent to all members of the organization. Amendments will be approved by a two-thirds vote of those present, assuming a quorum.

**Article XIII – Conflict of Interest Policy**

**Section 1. Purpose.** The purpose of the conflict of interest policy is to protect this tax-exempt organization's interest when it is contemplating entering into a transaction or arrangement that might benefit the private interest of an officer or director of the organization or might result in a possible excess benefit transaction. This policy is intended to supplement but not replace any applicable state and federal laws governing conflict of interest applicable to nonprofit and charitable organizations.

**Section 2. Definitions.**

- a. **Interested Person.** Any principal or executive board member with governing board-delegated powers who has a direct or indirect financial interest as defined below is an interested person.
- b. **Financial Interest.** A person has a financial interest if the person has, directly or indirectly, through business, investment, or family:
  - i. An ownership or investment interest in any entity with which the organization has a transaction or arrangement;

- ii. A compensation arrangement with the organization or with any entity or individual with which the organization has a transaction or arrangement; or
- iii. A potential ownership or investment interest in, or compensation arrangement with, any entity or individual with which the organization is negotiating a transaction or arrangement. "Compensation" includes direct and indirect remuneration as well as gifts or favors that are not insubstantial.

A financial interest is not necessarily a conflict of interest. Under Section 3b, a person who has a financial interest may have a conflict of interest only if the appropriate governing board or committee decides that a conflict of interest exists.

**Section 3. Procedures.**

- a. **Duty to Disclose.** In connection with any actual or possible conflict of interest, and interested person must disclose the existence of the financial interest and be given the opportunity to disclose all material facts to the directors and members of committees with governing board-delegated powers who are considering the proposed transaction or arrangement.
- b. **Determining Whether a Conflict of Interest Exists.** After disclosure of the financial interest and all material facts, and, after any discussion with the interested person, he/she shall leave the governing board or committee meeting while the determination of a conflict of interest is discussed and voted upon. The remaining board or committee members shall decide whether a conflict of interest exists.
- c. **Procedures for Addressing the Conflict of Interest.**
  - i. An interested person may make a presentation at the governing board or committee meeting, but after the presentation, he/she shall leave the meeting during the discussion of, and the vote on, the transaction or arrangement involving the possible conflict of interest.
  - ii. The chairperson of the governing board or committee shall, if appropriate, appoint a disinterested person or committee to investigate alternatives to the proposed transaction or arrangement.
  - iii. After exercising due diligence, the governing board or committee shall determine whether the organization can obtain, with reasonable efforts, a more advantageous transaction or arrangement from a person or entity that would not give rise to a conflict of interest.
  - iv. If a more advantageous transaction or arrangement is not reasonable possible under circumstances not producing a conflict of interest, the governing board or committee shall determine by a majority vote of the disinterested directors whether the transaction or arrangement is in the organization's best interest, for its own benefit, and whether it is fair and reasonable. In conformity with the above determination, it shall make its decision as to whether or enter into the transaction or arrangement.
- d. **Violations of the Conflict of Interest Policy**
  - i. If the governing board or committee has reasonable cause to believe a member has failed to disclose actual or possible conflicts of interest, it shall inform the member of the basis for such belief and afford the member an opportunity to explain the alleged failure to disclose.
  - ii. If, after hearing the member's response and after making further investigation as warranted by the circumstances, the governing board or committee determines that the member has failed to disclose an actual or possible conflict of interest, it shall take appropriate disciplinary and corrective action.

**Section 4. Records of Proceedings.** The minutes of the governing board and all committees with board delegated powers shall contain:

- a. The names of the persons who disclosed or otherwise were found to have a financial interest in connection with an actual or possible conflict of interest; the nature of the financial interest; any action taken to determine whether a conflict of interest was present; and the governing board's or committee's decision as to whether a conflict of interest in fact existed.

- b. The names of the persons who were present for discussions and votes relating to the transaction or arrangement; the content of the discussion; including any alternatives to the proposed transaction or arrangement; and a record of any votes taken in connection with the proceedings.

**Section 5. Compensation.**

- a. A voting member of the governing board who receives compensation, directly or indirectly, from the organization for services is precluded from voting on matters pertaining to that member's compensation.
- b. A voting member of any committee whose jurisdiction includes compensation matters and who receives compensation, directly or indirectly, from the organization for services is precluded from voting on matters pertaining to that member's compensation.
- c. No voting member of the governing board or any committee whose jurisdiction includes compensation matters and who receives compensation, directly or indirectly from the organization, either individually, or collectively, is prohibited from providing information to any committee regarding compensation.

**Section 6. Periodic Reviews.** To ensure that the organization operates in a manner consistent with charitable purposes and does not engage in activities that could jeopardize its tax-exempt status, periodic reviews shall be conducted. The periodic reviews shall, at a minimum, include the following subjects:

- a. Whether compensation arrangements and benefits are reasonable, are based on competent survey information, and are the result of arm's length bargaining.
- b. Whether partnerships, joint ventures, and arrangements with management organization conform to the organization's written policies, are properly recorded, reflect reasonable investment or payment for goods and services, further charitable purposes, and do not result in inurement, impermissible private benefit or an excess benefit transaction.

**Section 8. Use of Outside Experts.** When conducting the periodic reviews as provided for in Section 6, the organization may, but need not, use outside advisers. If outside experts are used, their use shall not relieve the governing board of its responsibility for ensuring that periodic reviews are conducted.

Date Adopted: 5/22/12

Co-President, Andrea Grassl: Andrea Grassl date: 5/22/12

Co-President, Dawn Smithlin: Dawn Smithlin date: 5/22/12

Co-Vice President, Melissa Berg: Melissa D Berg date: 5/22/12

Co-Vice President, Bridget Sorenson: Bridget Sorenson date: 5/22/12

Co-Treasurer, Kendra Jacque: \_\_\_\_\_ date: \_\_\_\_\_

Co-Treasurer, Jennifer Roth: Jennifer Roth date: 5-22-12

Secretary, Stacey Raber: \_\_\_\_\_ date: \_\_\_\_\_