

DATE: **June 30, 2004**
Revised: January 12, 2016

NAME OF ORGANIZATION: **Boyd E. Smith Elementary Parent Teacher Organization (PTO)**
CITY: Milford COUNTY: Clermont

DATE ORGANIZED: **June 30, 2004**

IRS Employer Identification # 31-0986270

BYLAWS

ARTICLE I: NAME

The name of this organization is the Boyd E. Smith Elementary Parent Teacher Organization (PTO) of Milford, Ohio.

ARTICLE II: ARTICLES OF ORGANIZATION

The organization exists as a non-incorporated association of its members. The Articles of Organization consist of the bylaws of such organization.

ARTICLE III: PURPOSES

Section 1. The Objects of the Boyd E. Smith Elementary PTO are:

- a. To promote the welfare of children and youth in home, school and community.
- b. To raise the standards of home life.
- c. To bring into closer relation the home and the school, that parents and teacher may cooperate intelligently in the education of children and youth.
- d. To develop between educators and the general public such united efforts as will secure for all children and youth the highest advantages in physical, mental, social, and spiritual education.

Section 2. The Objects of this local PTO are promoted through an educational program directed toward parents, teachers and the general public; are developed through conferences, committees, projects, and programs; and are governed and qualified by the basic policies set forth in ARTICLE IV.

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 IV: BASIC POLICIES

The following are basic policies of the Boyd E. Smith Elementary PTO:

- a. The organization shall be noncommercial, nonsectarian and nonpartisan.
- b. The organization or members in their official capacities shall not endorse a commercial entity or engage in activities not related to promoting the Objects of the organization.
- c. The organization or members in their official capacities 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. The organization shall work with the schools 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 education authorities and local education authorities.
- e. The organization shall not enter into membership with other organizations.
- f. 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 persons 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 III hereof.
- g. 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.
- 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) of the Internal Revenue Code.

ARTICLE V: MEMBERS AND DUES

Section 1. Every individual who is a member of this local PTO is entitled to all the benefits of such membership.

Section 2. Membership in this PTO shall be made available without regard to race, color, creed, or national origin, under such rules and regulations as may be prescribed in the bylaws of this local PTO, to any individual who subscribes to the Objects and basic policies of this PTO.

Section 3. This PTO shall conduct an annual enrollment of members, but may admit persons to membership at any time.

Section 4. Each member of this PTO shall pay such annual dues to said organization as may be prescribed by the organization.

Section 5. Each member of this PTO shall pay such annual dues as prescribed by the PTO. Initial dues shall be \$5.00 per faculty member or \$10.00 per family. This amount shall be modified and voted on annually as deemed necessary.

Section 6. The PTO shall maintain an annual roster of membership of all dues-paying members and/or families.

Section 7. Only members in good standing of the organization shall be eligible to participate in voting processes or to serve in any of its elective or appointive positions.

Section 8. Members who are under 18 years of age are prohibited under Ohio law from signing contracts that bind the members of the PTO, or its councils and units.

ARTICLE VI: OFFICERS AND THEIR ELECTION

Section 1. Each officer or board member of this PTO shall be a member of BES PTO and current on his/her dues.

Section 2. Officers and their elections:

- a. A local PTO shall elect officers, including a president, an executive vice president; one or more other vice presidents; a secretary; a treasurer. An election meeting is to be held annually in the month of **May**.
- b. There shall be no co-presidents.
- c. Officers shall be elected by written ballot annually in the month of May. However, if there is but one nominee for any elective position, the vote for that position may be by voice.
- d. Committee chairs shall be elected by written ballot annually in the month of May. However, if there is but one nominee for any elective position, the vote for that position may be by voice. If additional committee chairs are added after the annual meeting in May, chairpersons may be elected by a majority vote of the executive board.
- e. Officers and chair people shall be installed to office and assume their official duties following the close of the annual meeting in **May** and shall serve for a term of **one (1) year** (or until the election of their successor).
- f. A person shall not be eligible to serve more than two (2) consecutive terms in the same office. A person who has served more than one-half (1/2) of a term shall be credited with having served that term. In the event that a position cannot be filled, an officer may serve additional term(s) until a successor can be found.

Section 3. Nominating Committee

- a. There shall be a nominating committee composed of three (3) or more members. One member of said committee will be the Executive Vice President. The remaining members

shall be elected by the organization at a general PTO meeting not less than two (2) months before the election meeting. The committee shall elect its own chairman. The President shall not serve on this committee.

- b. The nominating committee shall nominate one (1) eligible person for each executive board office to be filled, and report its nominees at a regular PTO meeting in the month of **April** at which time additional nominations for any office may be made from the floor.
- c. Only those persons who have signified their consent to serve, if elected, shall be nominated for or elected to such offices.
- d. The nominating committee shall serve at the President's discretion until all positions are filled or through September, whichever comes first.

Section 4. A vacancy occurring in any elective position shall be filled for the unexpired term by a person elected by a majority vote of the remaining members of the executive board, notice of such election having been given. In case a vacancy occurs in the office of President, the Executive Vice President shall assume the position and the position of Executive Vice President shall be filled using the aforementioned procedure.

ARTICLE VII: DUTIES OF OFFICERS

Section 1. The President shall:

- a. preside at all meetings of the organization;
- b. perform such other duties as may be prescribed in these bylaws or assigned by the organization;
- c. be an ex-officio member of all committees except the nominating and audit committees;
- d. coordinate the work of the officers and committees of the organization in order that the Objects may be promoted.

Section 2. The executive vice president shall:

- a. act as aide to the president; and
- b. perform the duties of the president in the absence or inability of that officer to serve.

Section 3. The secretary shall:

- a. record the minutes of all meetings of the organization;
- b. have a current copy of the bylaws;
- c. maintain a membership list;
- d. conduct correspondence as delegated.

Section 4. The Treasurer shall:

- a. secure a nonprofit institutional fidelity bonding policy. The expenditure involved in securing the bond is a legitimate expense for the local PTO;
- b. keep a record of all membership dues of the local PTO;
- c. at least once a year, submit financial books and records for audit;
- d. have custody of all the funds of the organization;
- e. keep a full and accurate account of receipts and expenditures;
- f. make disbursements as authorized by the president, executive board, or organization in accordance with the budget adopted by the organization;
- g. present a financial report at every meeting of the organization and at other times when requested but the executive board;
- h. be responsible for the maintenance of such books of account and records as conform to the requirements of ARTICLE V of these bylaws;
- i. in conference with the executive board, propose a budget for adoption by the organization;
- j. advise the incoming treasurer of all policies and procedures.

Section 5. All officers shall:

- a. Perform the duties prescribed in the parliamentary authority in addition to those outlined in these bylaws and those assigned from time to time.
- b. Deliver to their successors all official material upon installation of officers, excluding treasurer, which is June 30, or upon resignation.

ARTICLE VIII: EXECUTIVE BOARD

Section 1. A PTO member shall not serve as a voting member of a constituent organization's board at the local, council, district, state or national level while serving as a paid employee of, or under contract to, that constituent organization.

Section 2. The executive board shall consist of the officers of the organization as outlined in ARTICLE VI, Section 2.a. The members of the executive board shall serve until the election of their successors.

Section 3. The duties of the executive board shall be:

- a. To transact necessary business in the intervals between regular organization meetings and such other business as may be referred to it by the organization.

- b. To create standing committees. Standing Committee chairmen are selected by the nominating committee and approved by election at the May meeting or by the executive board if the position is not filled by the time of this meeting.
- c. To present a report at the regular meetings of the organization.
- d. To appoint an auditor at least two (2) weeks before the end of the fiscal year to audit the treasurer's accounts.
- e. To prepare and submit to the general organization for approval a budget for the fiscal year.
- f. To fill vacancies in elective and appointive positions following the nominating committee's duties.

Section 4. Meetings of the executive board, usually monthly, shall be held during the school year. A majority of the executive board members present shall constitute a quorum. Special meetings of the executive board may be called by the President or by a majority of the members of the board, **five (5)** days' notice being given.

ARTICLE IX: MEETINGS

Section 1. Only members in good standing of the organization shall be eligible to participate in voting processes or to serve in any of its elective or appointed positions. A meeting is identified as a single official gathering of its members in one room or area to transact business for a length of time during which there is no cessation of proceedings and the members do not separate, unless for a short recess. Guests are welcome to attend meetings of the organization, but may not participate in any voting processes.

Section 2. Regular meetings of the organization shall be held once each month during the school year, unless otherwise provided by the organization or by the executive board, **fourteen (14)** days' notice having been given of the change of date.

Section 3. Special meetings of the organization may be called by the President or by a majority of the executive board, **five (5)** days' notice having been given. No other business than that business which is stated in the call shall be transacted at this meeting.

Section 4. The annual meeting shall be in **May** at which time the officers for the following year shall be installed to office.

Section 5. **Five (5)** members, at least two (2) of whom are officers, shall constitute a quorum for the transaction of business in any meeting of the organization.

Section 6. The privilege of holding office, introducing motions, debating and voting shall be limited to members of the organization whose current dues are paid.

ARTICLE X: STANDING AND SPECIAL COMMITTEES

Section 1. Standing Committees

- a. The executive board may create such standing committees as it may deem necessary to promote the Objectives and carry on the work of the organization.
- b. The nominating committee shall nominate one (1) eligible person as chairperson for each committee who is approved by the executive board. In the event that a committee chairperson or coordinator is not identified during the nominating process this position may be filled by a majority vote of the executive board at any point during the school year.
- c. The term of each chairman shall be **one (1)** year or until the selection of his/her successor.
- d. A person shall not be eligible to serve more than two (2) consecutive terms as the chairperson of a committee except by approval of the executive board when a successor cannot be found.

Section 2. When requested, the chairman of each standing committee shall present a plan of work to the executive board for approval. No committee work shall be undertaken without the consent of the executive board.

Section 3. All contracts must be approved by the Executive Board and are valid only when signed by both the President and the Committee Chair.

Section 4. The authority to form special committees and appoint their members rests with the organization. (Exception – bylaws committee).

Section 5. The president shall be an ex-officio member of all committees except the nominating and audit committees *and* has the right to make motions, debate and vote.

Section 6. A majority of the members of the committee present shall constitute a quorum.

ARTICLE XI: FISCAL YEAR

The fiscal year of the BES PTO shall be from July 1 through June 30.

ARTICLE XII: PARLIAMENTARY AUTHORITY

The rules contained in the current edition of Robert’s Rules of Order Newly Revised shall govern in all cases in which they are applicable and in which they are not in conflict with these bylaws, or the Articles of Incorporation.

ARTICLE XIII: AMENDMENTS

Section 1. This PTO may amend bylaws at any regular meeting of the organization by a two thirds (2/3) vote of the members present and voting, provided that notice of the proposed amendment shall have been given at the previous meeting.

Section 2. This PTO may appoint a committee to submit a revised set of bylaws as a substitute for the existing bylaws only by a majority vote at a meeting of the organization, or by a two thirds (2/3) vote of the executive board. The requirement for adoption of a revised set of bylaws shall be the same as in the case of an amendment.