

# **Kyrene de la Colina PTO Bylaws**

*The following was adopted at the PTO Executive Board Meeting on April 4th, 2023*

## **ARTICLE I: NAME**

The name of this organization shall be Kyrene de la Colina Parent Teacher Organization (herein referred to as "Colina PTO", "PTO" or "Organization").

## **ARTICLE II: OBJECTIVES**

The objective of the PTO is to enrich the education of the students and enhance the efforts of the Kyrene de la Colina school staff by promoting relationships and involvement while utilizing the talents and resources of our families, teachers, school and community. The objectives will be achieved by promoting events and programs directed toward our children, parents, teachers, staff and community.

This organization is exclusively for charitable purposes within the meaning of Section 501(c)3 of the Internal Revenue Code or corresponding section of any future tax code. The PTO shall be noncommercial, nonsectarian, and nonpartisan. The PTO shall not practice or permit discrimination on the basis of sex, age, race, national origin, religion, or physical handicap or disability.

## **ARTICLE III: POLICIES**

All officers, committees, volunteers and members shall utilize the policies in place and shall work cooperatively with school administration, staff, parents and members of the community.

### **General:**

- No part of the net earnings of the PTO shall insure to the benefit of, or be distributable to its members, trustees, officers, or other private persons.
- All Members of this Organization shall be volunteers and shall be reimbursed for authorized PTO expenses, but shall not be compensated for their time or service to the PTO.

### **Standards of Conduct:**

- Board members have an obligation to meet certain standards of conduct, whether in person, in writing, over the phone or in email
  - Communicate and work together with common courtesy and respect; disagree without being disagreeable.
  - Always present the Board and its mission in a positive and professional manner; keep disagreements within the Board. Only discuss such disagreements during Executive Board Meetings.

- Accurately present the Board's policies and positions when communicating on behalf of the Board. Re-direct any concerns to the appropriate Board member for direct communication between concerning parties.
- It is the duty of the Board to deal with violations of the standards of conduct quickly and decisively. Severe or repeated violations of conduct can result in the removal of the Board member. In this event, the board will hold a special meeting, if necessary. A 2/3 majority vote will be needed to remove a member suspected of violating Standards of Conduct.

### **Contracts, Funds and Agreements:**

- The PTO Executive Board 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 the PTO's objectives hereof
- The PTO may cooperate with outside organizations concerned with the prosperity and well being of children, but anyone representing the PTO may not make commitments or financial contributions that bind this Organization without the Executive Board's approval
- The PTO will be required to review and vote upon at least 3 competitive bids for any goods or services valued over \$2000, before a contract is signed or purchase is made
- All Board-approved agreements, precedents, commitments and contracts expire on or before June 30 each year, unless extended by a majority vote of the incoming Executive Board and recorded in the new Executive Board's minutes

### **Conflict of Interest:**

- This policy is intended to avoid entering into a transaction or arrangement that might benefit the private interest of a Member or might result in a possible excess benefit transaction. This policy supplements but does not replace any applicable state and federal laws.
  - No Member shall accept any personal gift, favor, compensation, bonus or reward, regardless of value, as a result of or while transacting business for the PTO.
  - Gifts, favors, compensation, bonuses and rewards are acceptable when made directly to the benefit of the Colina PTO
  - Membership shall be immediately and permanently terminated and legal action may be pursued for any Member determined to have committed one or more of the following acts by a majority vote of the Executive Board:
    1. Any acts or omissions which are not in good faith or which involve intentional misconduct or a knowing violation of the law;
    2. The authorizing of an unlawful payment or distribution out of the Organization's assets;
    3. Any transaction made in the furtherance of the exempt purposes of the Organization for which the Member derived an improper personal benefit; or

4. Any act or acts that can be defined under the Federal or Arizona State law as a 'conflict of interest'.

#### **ARTICLE IV: MEMBERSHIP**

Membership in this PTO shall be made available to any individual who

- Is a parent or legal guardian with a child enrolled and attending Kyrene de la Colina
- Is a teacher, administrator or district employee employed at or assigned to Kyrene de la Colina

All Members of the organization shall be eligible to participate in all community meetings and to serve in any of its elected or appointed positions.

#### **ARTICLE V: OFFICERS**

1. All officers shall carry out their duties according to these bylaws and shall work cooperatively with school administration, staff, parents and members of the community.
2. The Executive Board shall consist of President; Vice-President; Treasurer; Secretary, Event Coordinator and three to five advisory board members. Additionally, there will be one to two Teacher Liaisons and one Administrator from the school present on the board. The Teacher Liaison(s) and Administrator are voting positions, however these members may choose to abstain from any vote.
3. All PTO officers have the availability to offer Co-chairs for Executive Board positions, not including advisory members, if agreed upon between two members to share the responsibilities of a single role. The co-chairs are required to divide up their responsibilities accordingly.
4. PTO Officers must attend at least 80% of the Executive Board Meetings and 75% Colina Community Meeting and contribute enough time to serve the PTO and further its objectives. This percentage will not apply if the absence is due to reasonable cause.
5. Each Executive Board Position shall be entitled to one vote on each matter submitted to a vote at Executive Board Meetings. The Principal/Representative shall have one vote. The one to two Teacher Liaisons shall have one vote between them.
  - a. PTO Officers may vote via email when
    - i. A majority of Officers agree that a thorough discussion is not warranted
    - ii. When it is not practical to have a face-to-face meeting before the vote becomes necessary
    - iii. E-mail voting should be completed within 24 hours and documented as special meeting minutes
6. Elected PTO Officers shall assume their duties in the month they are voted in and will hold their position for the remainder of the school year.
7. All PTO officers Terms are one academic year. Elected and appointed officers may not hold the same office for more than two consecutive terms. The only exception will be if there are no other willing candidates.
8. No member shall hold more than one Executive Board Office at a time. However, Executive Board members may perform the duties of any unfilled office until such

office is filled.

## **ARTICLE VI: DUTIES**

The duties of the Executive Board shall be to

1. Transact necessary business in the intervals between general membership meetings
2. Create, appoint and approve all committees, chairs and plans of committees
3. Create a calendar of events, coordinating all committee and school activities
4. Create and adopt a budget for the year

President: *The President shall preside at all meetings; shall coordinate the work of the organization, its officers and its committees; shall be a member ex-officio of all committees; shall serve as the chief executive officer of the organization. Shall design and support the culture of the Board and ensure Board alignment to the Vision Statement*

Vice President: *The Vice President shall act as an assistant to the President and shall perform the duties of the President in the absence or disability of that officer. Shall be responsible for all fundraising coordination efforts, and work with corresponding committees as needed.*

Secretary: *The Secretary shall record and keep record of the minutes of all meetings of the organization and executive board; shall keep a current copy of the bylaws; maintain a current copy of committees, their purposes, chairs and members; maintain a current copy of the calendar, and conduct all correspondence of the organization including emails and social media accounts*

Treasurer: *The Treasurer shall have custody of all funds of the organization; shall keep a full and accurate account of receipts and expenditures; shall make disbursements in accordance with the budget authorized by the organization; shall have checks signed by two (2) persons, the treasurer and either the President or Vice President; shall email a financial report to all board members each month for review and present this report during each meeting; shall close the books by June 30th; and have the accounts reviewed by an auditor.*

Event Coordinator: *The Event Coordinator shall support and create all necessary committees for upcoming events throughout the year; shall ensure all committees are staffed and will act as a liaison between committees and the Executive Board; and will provide approval and communication to committees*

Advisory Board Members: *Shall provide support to all other Executive Board Members and assist at events and fundraisers; chair at least one committee (aligning with the Event Coordinator) and provide support to others as needed*

Teacher Liaison: *The Teacher Liaison(s) shall report current Teacher activities and concerns to the PTO as well as reporting current PTO activities and concerns to the Teachers; will advise the Executive board of any Teacher requests.*

Principal or Principal Designee: *The Principal or Staff Representative shall serve as an additional liaison from the executive board to the staff; shall advise the board on district and school policy, will provide approval for all flyers before being distributed to the student body and will approve all fundraising projects and events of the PTO.*

## **ARTICLE VII: MEETINGS**

*Regular meetings of the Executive Board will be held a minimum of once a month as determined by the incoming board at its first meeting of the year. All PTO officers are expected to attend.*

- *A quorum of 75% of board members must be in attendance to vote on any matters.*
- *All votes during these meetings shall require a simple majority vote*
- *At least 3 days before each scheduled monthly Executive Board meeting, an agenda shall be distributed to all board members from the Secretary*
- *Additional meetings of the Executive Board shall be held as needed, and may be called by any member of the Executive Board. Notice will be given at least 48 hours in advance of a meeting.*

*Community Meetings shall be held a minimum of twice a year by the Executive Board.*

- *All votes during this meeting shall require a simple majority vote*
- *The community meetings shall provide an overview of the business conducted by the Executive board and will vote on any outstanding issues needed.*

*Board and Community meeting Agendas to be determined by President*

- *Requests to present agenda items at Executive Board Meetings and Community Meetings must be made to the President or Secretary at least one week prior to the meeting and include the topic and length of time needed to make the presentation*
- *All meetings shall be recorded in the form of minutes; e-mailed to all Executive Board Members, and made available upon request to any Member*

## **ARTICLE VIII: ELECTIONS**

General Elections will be held at the last community meeting of the year in May and the members will elect the incoming board for the following school year. The process will be as follows:

- *Current PTO Officers eligible to serve in their office a second term must communicate to the Secretary of the Board their intention to do so by February 15th*
- *Open positions shall be formally solicited after February 15th through the monthly newsletter, flyers, e-mail and any other form of notification*
- *Any person that wishes to serve in an Executive Board Position must communicate to the Secretary of the Board their intention to do so by April 1st*
  - *If a position has not received a candidate by April 1st the Executive Board Members shall make an extra effort marketing the vacant position and new candidates will be accepted until one week before the election.*
- *The list of candidates shall be made known to the community at least one week before the scheduled election*

- Vote shall be at the last community meeting of the year. A simple majority vote by the community and Executive Board shall fill the office
  - During the community meeting, candidates will have the option to give a speech no more than 5 minutes.

### **ARTICLE IX. VACANCIES**

In the event of a vacancy in the office of President, the Vice-President shall assume the role of President in the interim. All Executive Board vacancies shall be filled as soon as possible and will be voted in by the current Executive Board. If no willing candidate is found, the Executive Board members shall complete the tasks relating to the vacancy to the best of their ability until the end of the fiscal year.

### **ARTICLE X: FUNDS**

- A dedicated bank account shall be established and used solely for organizational business purposes
- There shall be no commingling of PTO funds with the personal, professional, or business accounts of any individuals, groups or businesses
- The Annual Accounting Period for the PTO is based on a Fiscal Tax Year beginning July 1st and ending on June 30.
- All PTO checks should be co-signed jointly by the Treasurer and President or Vice President
- Members of the same family (including extended family) shall not co-sign checks together.
- PTO payment and reimbursement requests are to be submitted on the appropriate Treasurer Forms along with applicable invoice/receipts and supporting paperwork. All requests must be signed off by the President or Vice President prior to disbursement.
- Money collected through fundraisers and other organizational activities should be accounted for, verified by and prepared for deposit by two individuals
- All bank statements shall be emailed to the Executive board for review prior to each meeting
- All requests for PTO funds exceeding \$200 that are not included in the annual budget shall be submitted to the PTO Executive Board for consideration and will be voted on by the Executive Board for approval
- The Treasurer's accounts shall be examined annually by an outside professional or Audit Committee who, once satisfied that the Treasurer's annual report is accurate, shall sign a statement of that fact and present it to the Executive Committee. This shall be accomplished within 16 weeks of the end of the school year.
  - If the Treasurer's annual report is found to be inaccurate, the Treasurer will not be eligible to serve as Treasurer at any time in the future. In the event said Treasurer has already been re-elected, said Treasurer must resign immediately.
- Voided checks must not be destroyed immediately; but marked boldly "VOID" and kept on file as part of the paper trail. All voided checks must be kept for 7 years, after which they should be destroyed.

- All financial paperwork, including tax records, should be kept in a secured location at the school (locked in file cabinet) and digital documents should be saved to the PTO Google Drive. All financial paperwork and corresponding documents must be kept for 7 years, after which they should be destroyed.
- All PTO incoming checks should be made payable to “Colina PTO” and not to a Board Member, Committee Chair or any other Member.

#### **ARTICLE XI: INSURANCE**

The PTO is responsible for maintaining liability insurance per recommendations of the Kyrene Elementary School District. Coverage for officers is to be included. The Executive Board may choose to obtain additional coverage.

#### **ARTICLE XII: AMENDMENTS**

- These bylaws may be amended at any Executive Board meeting by a 2/3 majority vote of the officers present after a quorum is met.
  - Proposed amendments shall be communicated at the Executive Board Meeting
- These bylaws shall be reviewed and updated as needed by the Executive Board at least every three (3) years.

#### **ARTICLE XIII: DISSOLUTION**

The organization may be dissolved in the following manner:

1. The Executive Board shall give written notice to the entire membership that the dissolution is being considered.
2. The Executive Board shall call for a vote on dissolving the organization at least 30 days after notification was sent to the membership.
3. Approval of the dissolution of the PTO shall require the affirmative vote of at least three quarters (3/4) of the voting members present.
4. Upon 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 or corresponding section of any future tax code