

**CONSTITUTION AND BYLAWS OF THE ORCHARD DRIVE ELEMENTARY  
PARENT-TEACHER ORGANIZATION**

**Article 1 - Name**

The name of this organization shall be the Orchard Drive Elementary Parent-Teacher Organization (PTO) of the Jackson School District.

**Article II - Organization**

The organization stands as an unincorporated organization of members. The bylaws may from time to time be amended, as well as the articles of organization, if any.

**Article III - Objectives**

Section 1. The Objectives of the Orchard Drive Elementary PTO are:

- A. To enrich the lives of children and youth in home, school, and community.
- B. To facilitate teachers and parents working together for the enrichment of children.
- C. To build a partnership within our Orchard Drive community that will encourage the growth and development of our children.

Section 2. The Objectives of the Orchard Drive Elementary PTO are promoted through an education program directed toward parents, teachers, and the general public; are developed through committees, projects, and programs; and are qualified by the 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 - Policies**

Section 1. The programs of the organization shall be educational and shall be developed through committees and projects.

Section 2. This organization shall be noncommercial, nonsectarian, and nonpartisan. No commercial enterprise or candidate shall be endorsed by it. The name of the organization and names of its officers in their official capacities shall not be used in connection with any commercial concern, endorsement, or with any partisan interest or for any other purpose than the regular work of the organization.

Section 3. This organization shall not seek to direct the administration activities of the school or to control its policies. The building administrator(s) must approve all Executive Board and General Assembly PTO decisions in order to ensure that said decisions, and resulting actions, are in the best interest of the school.

Section 4. This organization may cooperate with other organizations and agencies active in child welfare, provided the organizations remain separate legal entities.

Section 5. No part of the net earnings of the Organization shall inure to the benefit of, or be distributable to, its members, officers, or other private persons except that the Organization shall be authorized and empowered to pay reasonable compensation for services rendered. Seemingly reasonable donations using PTO funds that socially benefit individual persons or officers or a subset of persons or officers in the name of Orchard Drive Elementary PTO are also prohibited.

Section 6. No PTO fundraiser shall financially benefit a PTO member, faculty member, student or parent without prior executive board approval.

Section 7. No substantial part of the activities of the Organization shall be the carrying on of propaganda or otherwise attempting to influence legislation, and the Organization shall not participate in or intervene (including the publication or distribution of statements) in any political campaign on behalf of any candidate for public office.

Section 8. Notwithstanding any other provision of this Constitution and Bylaws, the Organization shall not carry on any other activities not permitted to be carried on (a) by an organization exempt from Federal Income Tax under Section 501(c)(3) of the Internal Revenue Code of 1986 (or the corresponding provision of any future United States Internal Revenue Law) or (b) by an organization contributions to which are deductible under Section 170 (c) (2) of the Internal Revenue Code of 1986 (or the corresponding provision of any future United States Internal Revenue Law).

Section 9. Upon any dissolution of the Organization, the Board of Directors shall, after paying or making provisions for the payment of all the liabilities of the organization, dispose of all the assets of the Organization exclusively for the purposes of the Organization in such manner, or to such organizations organized and operated exclusively for charitable, educational, or scientific purposes as shall at the time qualify as an exempt organization or organizations under Section 501(c)(3) of the Internal Revenue Code of 1986 (or the corresponding provision of any future United States Internal Revenue Law), as the Board of Directors shall determine.

Section 10. The organization exists as an unincorporated organization of its members. Its bylaws comprise these "Articles of Organization" as from time to time may be amended and reviewed. Amendments must be presented at a regular PTO meeting and a majority vote to pass.

#### **Article V - Membership and Dues**

Section 1. Any parent, step-parent, or legal guardian of one or more students of Orchard Drive Elementary School and any staff member who is interested in the objectives of the PTO and willing to uphold its policies and subscribe to its bylaws and code of ethics may become a member.

Section 2. The membership year will be from August 1 through July 31.

#### **Article VI - The Executive Board Officers and Their Election**

Section 1. The executive board officers of this organization shall be President, Vice President, Secretary, and Treasurer, an administrative representative, a teacher representative and a parent representative.

Section 2. Three weeks prior to the spring PTO meeting, a Request for Candidacy of Officers will be sent home with the students and will also be available for pick up in the office. Requests shall be due no later than one week prior to the spring meeting.

Section 3. Executive Board Officers shall be elected by the membership at the spring meeting. Voting shall be determined from a simple majority via closed ballot. Board members shall serve a one-year term. An individual shall not serve in the office of president for more than two consecutive years and a

maximum of three years. The other officer positions have a limit of three consecutive years and a maximum of four years. Exclusions can be made in the event of a vacancy that remains unfilled.

Section 4. The parent membership representative and the Teacher representative shall be appointed and agreed upon by the membership at the spring meeting.

Section 5. The incoming board may begin such functions as are necessary to plan the upcoming year, but the outgoing board shall remain responsible for the continuation of the current year until the end of the fiscal year, July 31, at which time all business, including paperwork, files and minutes of final generalship meeting, must be turned over to the new board.

Section 6. A vacancy occurring in an office shall be filled by a majority vote of the executive committee. In case a vacancy occurs in the office of President, the Vice President shall assume the office of President.

Section 7. Any board member who is absent two consecutive meetings i.e., Executive Committee and Organization, shall be deemed inactive unless absences are to extenuating circumstances and the Executive Committee receives such notification. Any office having an inactive officer shall automatically be declared vacant and shall be filled as outlined in Article VI, Section 6.

Section 8. An officer may be removed with just cause by unanimous vote of the Executive Board or by a majority of the members at a regular meeting.

#### **Article VII - Eligibility of Officers**

Section 1. All members of this PTO may be elected an officer of the PTO under the following conditions:

- A. The candidate must have a child attending Orchard Drive Elementary School during the school year they are seeking election.
- B. Individuals applying for any office must not have been asked to resign from any prior position.
- C. An individual shall not serve in the office of president for more than two consecutive years and a maximum of three years. The other officer positions have a limit of three consecutive years and a maximum of four years. Exclusions can be made in the event of a vacancy that remains unfilled.

#### **Article VIII - Duties of the Executive Board Members**

Section 1. The President shall:

- A. Preside at general and annual meetings of this local PTO;
- B. See that committee chairs provide monthly report to President and present respective reports to the Executive Board at each meeting;
- C. Coordinate the work of the officers and committees of this local PTO in order that the objectives may be promoted;
- D. Shall serve on at least two (2) committees and serve in an advisory capacity on all others as needed;
- E. Perform such other duties as may be provided for by these bylaws;
- F. Coordinate and maintain all PTO scheduling with the school principal;
- G. Abide by the Orchard Drive Elementary PTO Code of Ethics.

Section 2. The Vice President shall:

- A. Act as aide to the President;
- B. Attend PTO meetings;
- C. Perform the duties of the President in the President's absence or inability to serve;
- D. Shall serve on at least two (2) committees and serve in an advisory capacity on all others as needed;
- E. Perform such other duties as may be provided for by these bylaws;
- F. Abide by the Orchard Drive Elementary PTO Code of Ethics.

Section 3. The Secretary shall:

- A. Attend meetings and record the minutes of the general and annual meetings of this Orchard Drive Elementary PTO;
- B. With input from all interested Orchard Drive Elementary PTO members, set the agenda;
- C. Provide copies of agenda at the general Orchard Drive Elementary PTO meetings;
- D. Publish a summary of the proposed minutes within ten (10) school days or sooner, after each regular PTO meeting;
- E. Record the minutes of each Executive Board meeting;
- F. Include summaries of all unfinished business in the meeting records for the use of the President and Board members;
- G. Be prepared to read the records of any previous meetings;
- H. Have a current copy of the bylaws;
- I. Shall serve on at least two (2) committees and serve in an advisory capacity on all others as needed;
- J. Abide by the Orchard Drive Elementary PTO Code of Ethics.

Section 4. The Treasurer shall:

- A. Have custody of the funds of this local PTO;
- B. Attend PTO meetings and report at each;
- C. Maintain a full account of funds of this local PTO;
- D. Make disbursements as authorized by the Executive Board or Orchard Drive Elementary PTO (as stated in Article X, Sections 6-8) and in accordance with the budget;
- E. Sign checks in accordance to fiscal policy guidelines (Article X);
- F. Keep a full and accurate account of the receipts and disbursements in the book belonging to Orchard Drive Elementary PTO and reconcile monthly;
- G. Present financial reports at executive and general meetings, and present official bank statements to the Executive Board as requested;
- H. Make arrangements for a year end audit from an outside source that has no affiliation with Orchard Drive Elementary PTO or its Executive Board. Audit must occur no later than August 15 (End of fiscal year July 31, this gives accountant two (2) weeks to file tax form).
- I. Present an Annual report of the financial condition of the organization;
- J. Shall serve on at least two (2) committees and serve in an advisory capacity on all others as needed;
- K. Perform other such duties as may be provided by these bylaws;
- L. Abide by the Orchard Drive Elementary PTO Code of Ethics.

Section 5. The Teacher Representative shall:

- A. Provide input at the Executive Board meetings;
- B. Abide by the Orchard Drive Elementary PTO Code of Ethics.

Section 6. The Parent Membership Representative shall:

- A. Provide input at Executive Board meetings;
- B. Abide by the Orchard Drive Elementary PTO Code of Ethics.

Section 7. The Executive Board shall have general charge and control of affairs, funds, and properties of the PTO and shall maintain records of such in a central location including, but not limited to; prior budgets, check registers, governmental forms, committee reports, contracts, and correspondence. All PTO related correspondence shall not intentionally exclude any of the Executive Board members.

Section 8. The Executive Board shall hold monthly meetings during the year, with the time and date set based on the majority being able to attend. Any special meetings must be approved by a majority of the executive board.

Section 9. The Executive Board shall interpret the bylaws, policies, and standing rules of the PTO. Bylaws may only be amended and must be approved by a majority vote of the general membership at a regular meeting.

Section 10. A simple majority of the Executive Board shall constitute a quorum.

Section 11. The Executive Board shall present business reports at general PTO meetings.

Section 12. The Executive Board maintains the right to table discussions or voting, at their discretion, for such reasons as new agenda items, time constraints, or items that require more information, by majority.

#### **Article IX - Committee Chairpersons**

Section 1. Members of this local PTO shall be eligible to serve in any appointive positions.

Section 2. The Orchard Drive Elementary PTO may create such standing and special committees as it may deem necessary to promote the Objectives of this local PTO and carry on the work of this local PTO.

Section 3. The Orchard Drive Elementary PTO shall provide a handbook defining its committees and their duties. This shall be available by the first regular PTO meeting of the year.

Section 4. Each committee chair may be eligible to serve consecutive terms.

Section 5. No Executive Board member can be committee chair unless approved by a majority of the Executive Board.

Section 6. It is the duty of each committee chair to provide reports to the President detailing the activities of the committee on a monthly basis, prior to Executive Board meetings.

Section 7. Abide by the Orchard Drive Elementary PTO Code of Ethics.

#### **Article X - Fiscal Policy**

Section 1. The Treasurer's accounts shall be examined annually by an outside auditor no later than August 15 (End of fiscal year July 31, this gives accountant two (2) weeks to file tax form). The Treasurer must find an impartial third party to audit all books and submit to the Executive Board.

Section 2. The Executive Board will establish an annual working budget that reflects expected revenues/expenditures of the PTO. The budget will be presented for approval no later than the second PTO Meeting of the new school year.

Section 3. The budget must include a minimum of \$5,000.00 designated for the following year's PTO.

Section 4. The Treasurer shall complete other duties that may be deemed necessary by the Executive Board including, but not limited to, filing all necessary forms with the appropriate governmental authorities.

Section 5. The Treasurer shall log all PTO gifts to the school as a part of the Treasurer's records, to be kept in a central location.

Section 6. The President (or Vice President in the President's absence) may approve unbudgeted expenditures up to \$100.00 with the approval of the building administrator.

Section 7. The Executive Board must approve all single expenditures from \$100.01-\$499.99 prior to commitment of expenditure.

Section 8. The PTO General membership must approve all single expenditures over \$500.00 prior to commitment of expenditure.

#### **Article XI - General Meetings**

Section 1. General meetings shall be defined as any gathering of the General membership including, but not limited to Business meetings and presentations.

Section 2. There shall be a minimum of four (4) General Meetings of the organization each year scheduled prior to the beginning of the school year. The budget shall be presented no later than the second meeting of the year. The last meeting of the year shall be the meeting at which the new officers are elected. The executive board upon five days' notice, may call special meetings.

Section 3. The Executive Board shall maintain the right to table discussions or voting, at their discretion, for such reasons as new agenda items, time constraints, or items that require more information, by majority.

Section 4. Voting shall be determined by a simple majority of the members present.

Section 5. General membership meetings shall be conducted according to Robert's Rules of Order.

#### **Article XII - Amendments**

Section 1. These bylaws may be amended by a majority affirmative vote of the general membership.

## Code of Ethics

Section 1. All members and officers of Orchard Drive Elementary PTO should behave according to this code of ethics. Specific behaviors should include, but are not limited to:

- A. Respect
  1. For students
  2. For parents
  3. For faculty and staff
  4. For other PTO members
  5. For all guests of Orchard Drive Elementary
- B. Integrity
- C. Responsibility
  1. To their position
  2. To the organization
  3. To the community

4. To students
  5. To parents
  6. To Jackson R-2 District
  7. To Orchard Drive Elementary
- D. Accountability, individually and as a whole
  - E. Performance: To perform assigned duties to the best of our ability and to the highest quality achievable
  - F. Environment: To make a comfortable environment for everyone at all Executive Board meetings, formal or informal; Regular PTO meetings, PTO functions and fundraisers, etc.