

# BYLAWS FOR LADERA ELEMENTARY SCHOOL PARENT TEACHER ORGANIZATION (PTO)

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# *LADERA ELEMENTARY SCHOOL PTO BY-LAWS*

## ARTICLE I - NAME

The name of this association is the Ladera Elementary School Parent Teacher Organization, hereafter referred to as the “PTO”.

## ARTICLE II- PURPOSES

### SECTION 1

The purposes of this association 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, administrators and teachers may cooperate intelligently in the education of children and youth, and
- c. 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, and social education.

### SECTION 2

This association 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 III - BASIC POLICIES

The following are basic policies of this association:

- a. The organization shall be noncommercial, nonsectarian and nonpartisan;
- b. The organization shall work with the school 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 education 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, school 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 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 II hereof;
- 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 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 that have established their tax-exempt status under Section 501(c)(3) of the Internal Revenue Code and whose purposes are in accordance with those of this association;
- g. 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;
- h. The organization or members in their official capacities shall not endorse a commercial entity or engage in activities not related to promoting the purposes of the organization.

## ARTICLE IV - MEMBERSHIP AND DUES

### SECTION 1

Membership in this PTO shall be made available without regard to race, color, creed or national origin, under such rules and regulations not in conflict with the provisions, the Bylaws of the association.

### SECTION 2

The PTO shall conduct an annual enrollment of members but may admit persons to membership at any time.

### SECTION 3

Each member of the association shall pay annual dues which shall be per member (also means per capita) to the association.

## ARTICLE V- OFFICERS AND THEIR ELECTION

### SECTION 1

Each officer or board member of this PTO shall be a member of this PTO.

### SECTION 2

Offices of this association shall be a president, five vice presidents, secretary, treasurer, financial secretary, and parliamentarian. These offices shall be elected annually with the exception of the parliamentarian, who shall be appointed by the president subject to the ratification of the executive board.

### SECTION 3

- a. Nominations for office shall be made by a nominating committee which shall be elected by the association.
- b. The nominating committee shall be elected at least two months prior to the annual election meeting. The committee shall serve until the annual election meeting.
- c. The nominating committee shall be composed of five members, plus one alternate, all of whom shall be members of this PTO. The principal of the school, or a faculty representative appointed by the principal, if not an elected member of the committee, shall serve in an advisory capacity. The president shall not serve ex officio or be elected to the nominating committee. The committee shall elect its' own chairman.
- d. No member shall serve on the nominating committee for more than two (2) consecutive years except for the principal or principal representative.
- e. Immediately upon its election the parliamentarian shall meet with the nominating committee to set the date of its first meeting. (See Article VI, Section 11)
- f. Alternates shall attend meetings. If an elected member cannot be present, the alternate becomes the permanent member, replacing the elected member until such time as the committee is discharged of its duties (at the time of election).
- g. The report of the nominating committee shall be submitted to the membership at least thirty (30) days prior to the annual election meeting. At the annual election meeting in April additional nominations must be called for from the floor.

### SECTION 4

The privilege of holding office shall be limited to members of the association whose dues are paid and who have been members of the association for at least thirty (30) days previous to nomination.

### SECTION 5

- a. Only those persons who are eligible and who have signified their consent to serve if elected shall be nominated for or elected to office.
- b. Nominees for the offices of president, treasurer, and financial secretary shall not be related by blood or marriage or reside in the same household.

- c. An office may be shared by no more than two persons.

## SECTION 6

Election shall be held by ballot at the annual election meeting in April. If there is but one nominee for any office, the ballot for that office may be dispensed with and the election held by voice vote.

## SECTION 7

Officers shall serve for a term of one year. No officer shall be eligible to the same office for more than two consecutive terms or hold more than one elected office at a given time unless no other candidate is found and the person is willing to serve in that capacity for no more than one additional year. Officers shall assume their duties on July 1. A person who has served in an office for more than six months of a full term shall be deemed to have served a full term in such office.

## SECTION 8

The president-elect may call meetings as necessary of the officers-elect and the principal of the school, or a representative appointed by the principal, to ratify the appointments of appointed officers and chairperson and to make plans for the coming year's work.

## SECTION 9

If an office remains unfilled after election, it shall be considered a vacant office to be filled by the board-elect.

## SECTION 10

A vacancy occurring in any office shall be filled for the un-expired term by a person elected by the executive board. Election to fill a vacancy shall require a majority vote of the executive board, with at least ten (10) days' previous notice. If notice is not given, the election to fill the vacancy shall require a two-thirds (2/3) vote. The first vice president shall serve notice of the election to the executive board, in case a vacancy occurs in the office of president.

# ARTICLE VI- DUTIES OF OFFICERS

## SECTION 1

The president shall:

- a. Coordinate the work of officers and committees of the association in order that the purposes may be promoted.
- b. Preside at all meetings of the association and the executive board.
- c. Be a member ex officio of all committees except the nominating committee.
- d. Appoint the parliamentarian, the chairmen and members of committees, subject to the ratification of the executive board.
- e. Verbally approve or sign all invoices or check requests.

- f. Be the official representative of the unit at coordinating council meetings.
- g. Approve, along with the principal, all newsletters, flyers and/or notices prior to distribution.
- h. Not be related by blood or marriage or reside in the same household as the other authorized signers for the association's financial accounts. If two persons who are related by blood or marriage or reside in the same household jointly hold the office of President only one must be an authorized check signer for the PTO.
- i. Maintain a list of current committee chairperson positions including descriptions.
- j. Serve as liaison between the principal and PTO for student scholarship needs
- k. Perform such other duties as may be prescribed in these bylaws or assigned by the association.

## SECTION 2

The vice president(s) shall act as aide(s) to the president and shall, in their designated order, perform the duties of the president in the absence or disability of that officer to act.

- a. The first vice president shall serve also as Chairman of Programs
- b. The second vice president shall serve also as Chairman of Fundraising
- c. The third vice president shall serve also as Chairman of Membership
- d. The fourth <sup>vice</sup> president shall serve also as Chairman of Publicity
- e. The fifth vice president shall serve also as Chairman of Volunteer Coordination

*[Additional duties of each vice president shall be placed in the Standing Rules.]*

## SECTION 3

The first vice president (Chairperson of Programs) shall:

- a. Act as President in the absence of the President or while an election to replace the President is in process.
- b. Preview and make recommendations for school assemblies to enhance curricular instruction.
- c. Arrange for presentation of assemblies.
- d. Coordinate payment for assemblies.
- e. Arrange and coordinate after school fee-based programs.
- f. Arrange and coordinate Red Ribbon Week.
- g. Arrange and coordinate other Programs as deemed appropriate by the PTO.
- h. Provide secretary listing of all assemblies, including costs, to be included in minutes.
- i. Perform other duties as may be delegated to the first vice president.

## SECTION 4

The second vice president (Chairperson of Fundraising) shall:

- a. Coordinate the fall fundraiser.

- b. Coordinate the spring fundraiser.
- c. Perform other duties as may be delegated to the second vice president.

## SECTION 5

The third vice president (Chairperson of Membership) shall:

- a. Coordinate the annual membership drive.
- b. Prepare and produce the PTO directory.
- c. Distribute the PTO directory by November 15th of each year.
- d. Coordinate with welcoming committee to approach new families as they enroll at the school and invite them to join the PTO.
- e. Perform other duties as may be delegated to the third vice president.

## SECTION 6

The fourth vice president (Chairperson of Publicity) shall:

- a. Serve as a liaison between the school and District with regard to publicizing school events.
- b. Be available to assist in the production of the school yearbook.
- c. Coordinate the production of the school newsletter.
- d. Be available to assist webmaster with website maintenance and e-mail blast list maintenance.
- e. Develop and maintain master calendar.
- f. Responsible for weekly e-mail blasts.
- g. Perform other duties as may be delegated to the fourth vice president.

## SECTION 7

The fifth vice president (Chairperson of Volunteer Coordination) shall:

- a. Create forms to be used for sign ups during the first month of the school year.
- b. Copy and distribute volunteer lists to appropriate chairpersons each September.
- c. Provide guidance for copy room volunteers including appropriate training on equipment.
- d. Coordinate hospitality volunteers for meetings and other events requiring food service.
- e. Assist chairpersons in finding volunteers as needed.
- f. Perform other duties as may be delegated to the fifth vice president.

## SECTION 8

The secretary shall:

- a. Keep an accurate record of the proceedings of all meetings of the association and the executive board in a bound book which is the legal record of this PTO.
- b. Be prepared to refer to minutes of previous meetings.
- c. Maintain an accurate, up to date listing of all members at each meeting.

- d. Prepare a list of all unfinished business for the use of the president.
- e. Record all expenditures in addition to the budget in the minutes.
- f. Keep a current list of the paid members of the association provided by the membership chairman.
- g. Keep a current copy of the bylaws and standing rules.
- h. Conduct all necessary correspondence of the association upon authorization of the president, executive board or association.
- i. Notify officers of their election and chairmen of their appointments.
- j. Perform such other duties as may be delegated to the secretary.

## SECTION 9

The treasurer shall:

- a. Keep such permanent books of account and records as shall be sufficient to establish the items of gross income, receipts and disbursements of the association.
- b. Chair the budget committee and prepare the budget for adoption by the association.
- c. Receive all moneys from the financial secretary for the association, giving a receipt (if requested) and deposit immediately in the name of the association in a bank approved by the executive board.
- d. Receive and retain a copy of the deposit slip for any deposit made.
- e. Pay all bills as authorized by the membership of the association and on receipt of authorization for payment received from the president.
- f. Secure two signatures on all checks. Any two of the following are authorized to sign: president, treasurer and financial secretary. The authorized signers shall not be related by blood or marriage or reside in the same household.
- g. Keep an accurate record of receipts and disbursements in a ledger which is a permanent record of this PTO. All other financial records must be retained for seven years including the current year.
- h. Keep the membership informed of expenditures as they relate to the budget adopted by the association.
- i. Present a treasurer's report at every meeting of the association and the executive board and at other times when requested by the association.
- j. Make an annual financial report to the association which includes gross receipts and disbursements for the year.
- k. Provide information to the tax preparer for tax returns.
- l. Perform such other duties as may be delegated to the treasurer.

## SECTION 10

The financial secretary shall:

- a. Give a receipt (if requested) for all moneys received for the association and remit at once to the treasurer or deposit in a bank approved by the executive board and give a copy of the deposit slip to the treasurer.
- b. Pay all bills as authorized by the membership of the organization and on receipt of authorization for payment received from the president.

- c. Keep an accurate record of all receipts and authorizations for payment for filing with the treasurer's financial records for the association.
- d. Perform such other duties as may be delegated to the financial secretary.

## SECTION 11

The parliamentarian/historian shall:

- a. Attend all meetings of the association and of the executive board and give necessary advice in parliamentary procedure when requested.
- b. Serve as historian and maintain a record of the school's acknowledgements, community publications and noteworthy accomplishments.
- c. Keep an updated list of other significant items such as caterers and costs for various events (such as back to school picnic/open house), award recipients, and information not associated with a specific committee.
- d. Ensure committees/Board members are keeping records of their events.
- e. Maintain centralized storage (at school) of all past committee and Board notebooks.
- f. Call the first meeting of the nominating committee, conduct election of chairman and give instructions in procedure, and may be contacted for additional information, if needed, and attend meetings of the nominating committee only if elected to serve as a member of the committee.
- g. Chair the bylaws committee and review bylaws and standing rules bi-annually.
- h. Be entitled to all rights and privileges of membership including the right to make motions, debate and vote.
- i. Perform such other duties as may be delegated to the parliamentarian/historian.

## SECTION 12

Each officer shall keep a notebook with information relating to their position including a job description and information on past events, activities or programs going back at least four years.

## SECTION 13

When an officer fails to attend three consecutive meetings without adequate excuse or when an officer is not fulfilling the responsibilities of the office as prescribed in the bylaws or standing rules, or engages in conduct which the executive board determines to be injurious to the organization or its purposes, the executive board 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.\*

## SECTION 14

All officers shall perform the duties prescribed in the current edition of **ROBERT'S RULES OF ORDER NEWLY REVISED** in addition to those outlined in these bylaws and those assigned from time to time. Upon the expiration of the term of office or in case of resignation or termination, each

officer shall turn over to the president, without delay, all records, books and other material pertaining to the office and shall return to the treasurer, without delay, all funds belonging to the association.

*\* "Due Process" Procedures: Following the two-thirds (2/3) affirmative vote recommending that the officer be removed from office: (1) The officer must be given fifteen (15) days' written notice of the hearing to remove the officer from office; (2) The written notice shall contain the reasons for the proposed removal, and shall be mailed by certified mail, return receipt requested, to the last address of the officer shown on the association's records; (3) At the hearing, the officer must be given an opportunity to address the executive board, either orally or in writing; (4) Not less than five days following the hearing, the executive board shall convene and vote whether the officer will be removed from office; (5) A two-thirds (2/3) vote of the executive board shall be sufficient to remove the officer from office; (6) The removal vote shall be recorded in the executive board minutes and shall specify the number of voting in favor of and against such removal."*

## ARTICLE VII- ASSOCIATION MEETINGS

### SECTION 1

Association meetings shall be held on third Thursday of September, October, November, December, January, February, March, April and May unless otherwise ordered by the association or the executive board. With the exception of the annual meeting in September, notice of any change in time or date of regularly scheduled meetings must be given in writing to the entire membership at least ten (10) days in advance.

### SECTION 2

The association meeting in April shall be the annual election meeting at which time officers shall be elected. At least twenty (20) days prior written notice of the annual election meeting must be given.

### SECTION 3

The year's PTO proposed program and budget, which includes all programs, projects and expenditures including those specified in the budget, require approval and/or ratification by the membership. All approved programs, projects and expenditures MUST be recorded in the association minutes, the legal record of the PTO.

### SECTION 4

Special meetings may be called by the president. The president must call a special meeting upon the written request of four (4) members of the executive board or by twenty (20) members of the association. Special meetings must be held within fourteen (14) days of receipt of a written request. All association members must be notified of special meetings at least seven (7) days prior to the meeting.

Only business mentioned in the notice of a special meeting can be transacted at that meeting.

#### SECTION 5

- a. This PTO shall establish a quorum for the transaction of business in any meeting of this association.
- b. Seven (7) members of the executive board shall constitute a quorum. Shared officeholders shall count as one member for this purpose.

#### SECTION 6

The privilege of making motions, debating and voting shall be limited to members of the association who are present and whose dues are paid and who have been members of the association for at least the previous thirty (30) days, with the exception of the annual meeting in September.

#### SECTION 7

Voting by proxy is PROHIBITED.

### ARTICLE VIII- EXECUTIVE BOARD

#### SECTION 1

The executive board shall consist of officers of the association, and the principal of the school, or a representative appointed by the principal, all of whom shall be members of this PTO. The principal of the school or designated representative, although not an elected officer, serves in an advisory capacity with full voting privileges.

#### SECTION 2

The executive board:

- a. Shall transact necessary business between meetings of the association and such other business as may be referred by the association.
- b. May authorize the payment of association bills within the limits of the budget adopted by the association. Such action must be ratified at the next association meeting and must be recorded in the association minutes.
- c. May authorize the payment of other unbudgeted association bills not to exceed accumulative total of two hundred dollars (\$200.00) between meetings of the association. Ratification of payment of these bills must occur at the next association meeting and must be recorded in the association minutes.
- d. Shall create committees as are deemed necessary to promote the purposes and to carry on the work of the association.
- e. Shall fill all vacancies in office, including that of president.
- f. Shall receive a financial report from the treasurer or financial secretary at each meeting.

### SECTION 3

The executive board is subject to the orders of the association and none of its acts shall conflict with action taken by the association.

### SECTION 4

A PTO member shall not serve as a voting member of this executive board while serving as a paid employee of or under contract to this PTO.

### SECTION 5

The executive board shall meet at least once every two months during the school year, unless otherwise ordered by the executive board.

### SECTION 6

Special meetings of the executive board may be called by the president. The president must call a special meeting upon the written request of four (4) members. Special meetings must be held within fourteen (14) days of receipt of a written request. All executive board members must be notified of special meetings at least seven (7) days prior to the meeting. Only business mentioned in the notice of a special meeting can be transacted at that meeting

### SECTION 7

- a. This PTO shall establish a quorum for the transaction of business in any meeting of the executive board.
- b. Seven (7) members shall constitute a quorum.

### SECTION 8

Voting by proxy is PROHIBITED.

## ARTICLE IX - COMMITTEES

### SECTION 1

There shall be such committees created by the executive board as may be required to carry on the work of the association. The quorum for a committee meeting shall be a majority of its members. Refer to list maintained by the president for committee descriptions.

Current committee chairperson positions include:

Art Masters	Birthday Book Club
Book Fair	Boxtops for Education
Father-Son Event	Mother-Daughter Event
Restaurant Nights	Room Parent Coordinator
Webmaster	Teacher Appreciation
Green Committee/Recycling	Welcoming Committee
Character Counts	TPSF Liaison
Garden	Jr. Great Books
Spirit Committee	Running Program

### SECTION 2

The chairpersons of committees, all of whom shall be members of this PTO, shall be appointed by the president subject to the ratification of the executive board.

### SECTION 3

The term of office for chairmen shall be one year or until successors have been appointed.

### SECTION 4

The chairmen shall present plans of work to the general membership for input and informational purposes.

### SECTION 5

Each committee chairperson shall keep a notebook with information relating to their position including a job description and information on past programs, activities or events going back at least four years.

### SECTION 6

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 standing rules, or engages in conduct which the executive board determines to be injurious to the organization or its purposes, the executive board 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

chairman; (2) making a formal recommendation that the chairman be removed from office following a hearing conducted in accordance with Due Process.

#### SECTION 7

Upon the expiration of the term of office or in case of 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 8

The association and the executive board each have the power to create special committees in order to carry put specific programs and projects.

#### SECTION 9

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

### ARTICLE X - ARTICLES OF ORGANIZATION

This association is a nonprofit corporation organized under the laws of the State of California. Its "articles of organization" comprise the articles of incorporation and these bylaws as from time to time amended. In the event of any conflict between the articles of incorporation and these bylaws, the association shall take prompt action to amend the articles of incorporation to conform to the provisions of these bylaws.

### ARTICLE XI - PARLIAMENTARY AUTHORITY

The rules contained in the current edition of *ROBERT'S RULES OF ORDER NEWLY REVISED* shall govern this association in all cases in which they are applicable and in which they are not in conflict with these bylaws, the articles of incorporation and the California Non Profit Corporation Law.

### ARTICLE XII- AMENDMENTS

The association shall by a two-thirds (2/3) vote adopt amended bylaws at any association meeting provided notice has been given at the previous meeting OR thirty (30) days' written notice has been given to the membership.

## ARTICLE XIII- STANDING RULES

1. At the beginning of his or her term of office, each member of the executive board shall be given a copy of these bylaws and shall be responsible for making a thorough study of them. A copy of these bylaws shall be made available to any member of the association upon request.
2. At least forty-eight hours notice, in writing, must be given to the president in order to have an item of business or an announcement placed on the executive board or association agenda.
3. When a recommendation for an item of business or an announcement that has not had prior consideration by the executive board is brought to an association meeting, it may be referred to a committee and/or the executive board for study as determined by the president or executive board.
4. Any non-PTO material to be distributed at an association meeting must be approved by the executive board prior to the meeting.
5. Each officer and chairman shall be responsible for keeping an up-to-date procedure book and for turning it over to the incoming officer or chairman at the end of the term of office.
6. The membership list/directory of this PTO shall be for the exclusive use of the organization and shall not be available for distribution or purchase by any other organization or commercial entity.

NOTE: Standing rules may be adopted by a majority vote at any association meeting. Amendments to standing rules require a two-thirds (2/3) vote without previous notice, a majority vote with such notice. Standing rules should be procedural rather than parliamentary and may not conflict with the bylaws.