

CORNELIUS ELEMENTARY PTO BYLAWS

ARTICLE 1: NAME

The name of this organization is the Cornelius Elementary Parent Teacher Organization (hereafter referred to as PTO), Cornelius, Mecklenburg County, North Carolina.

ARTICLE II: ARTICLES OF ORGANIZATION

The organization exists as an unincorporated organization of its members. Its "Articles of Organization" comprise these bylaws, reviewed and amended as necessary every two years, and shall be deemed to be the articles of the association.

ARTICLE III: PURPOSE

Section 1. The purposes of the organization are:

- a. To bring into closer relationship the home and the school so that parents, teachers, school administrators and the community might cooperate mutually in the education of children.
- b. To support educational awareness in the home and community.
- c. To support adequate laws for the care and protection of children.
- d. To provide resources to the school that are not provided or not adequately provided for in the school budget and deemed necessary or desirable by the staff for the support and education of the children.

Section 2. The purposes of this organization are promoted through educational means, directed toward parents, teachers and the community; are achieved through meetings, 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 purpose within the meaning of Section 501(c)(3) of the Internal Revenue Code or corresponding section of any future federal tax code (hereafter "Internal Revenue Code").

ARTICLE IV: BASIC POLICIES

The following are the basic policies of this organization:

- a. The organization shall be noncommercial, nonsectarian and nonpartisan.
- b. The name of the organization or the names of any members in their official capacity shall not be used to endorse or promote a commercial concern nor in connection with any partisan interest or for any purpose not appropriately related to the purposes of the organization.
- c. The organization shall not-directly or indirectly-participate or intervene (in any way, including the publishing or distribution 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 attempt to influence legislation by propaganda or otherwise.

- d. No part of the net earnings of this organizations shall inure to the benefit of, or be distributable to its members, directors, trustees officers or other private parties except that the organization shall be authorized and empowered to pay reasonable compensation for services rendered and to make payments and distributions to furtherance of the purposes set forth in Article III hereof.
- e. The organization shall work with the school 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 the board of education, state education authorities and local education authorities.
- f. The organization may cooperate with other organizations, associations and agencies concerned with child welfare and education, but person representing this organization is such matters shall make no commitments that bind this organization
- 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 any organization except for Federal income tax under Section 501 (c)(3) of the Internal Revenue Code, or (ii) by an organization, contributions which are tax deductible under Section 501 (c)(3) of the Internal Revenue Code.
- h. Any dissolution plan shall be provided to all voting member, with a 30 day notice of the dissolution meeting. A dissolution plan shall be valid upon two-thirds (2/3) vote of the members voting, whether present at the dissolution meeting or by written ballot. 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 non-profit funds, foundations or organizations which have established their tax-exempt status under Section 170(c)(2) of the Internal Revenue Code.

ARTICLE V: MEMBERSHIP AND DUES

Section 1. Membership in this PTO shall be made available to any individual who subscribes to the purposes and basic policies of this organization by the PTO, without regard to race, color, creed or national origin, under such rules and regulations, not in conflict with the bylaws of the organization.

Section 2. The organization shall conduct an annual enrollment of members, but may admit individuals to membership at any time.

Sections 3. Each member of this organization shall pay annual dues to the organization. Dues shall be \$5.00 per individual. The organization may decrease or increase the amount of dues with an amendment to the bylaws. Members that have paid their annual dues shall be considered in good standing.

Section 4. Only members in good standing shall be eligible to participate in its business meetings, have voting rights or to serve in any of its elected or appointed positions.

Section 5. The membership year shall begin July 1st and end on the following June 30th.

ARTICLE VI: OFFICERS AND THEIR ELECTION

SECTION 1. Each officer of this PTO shall be a member of this PTO.

Section 2. Officers and their election:

- a. The officers of this organization shall consist of a president, a president-elect, 2 vice presidents, a secretary and a treasurer. Co-presidents may share the office if nominating committee deems necessary.
- b. Officers shall be elected annually, by ballot, at a regular meeting of the general membership of the organization in the month of March. If there is one nominee for an office, the floor may be opened for additional nominees. However, if there are no additional nominees the slate of officers may be elected by a show of hands of the member of the organization.
- c. An officer shall assume his/her official duties on the first day of the fiscal year of the organization (July 1st) as set forth in Article XIV. The officer shall serve a term of two years or until his/her successor is elected.
- d. No person shall serve more that two (2) terms in the same office.
- e. The executive board may replace any non-active officer or chairperson after three (3) month inactivity without good cause shown (see Section 4 and 5 below).

Section 3. Nominating Process

- a. Nominations shall be opened at the regular meeting of the organization or at least 30 days prior to the election meeting and will be accepted up until a week before the election.
- b. Nominees will be announced at the last regular general membership meeting in March, at which time additional nominations may be made from the floor.
- c. Only those persons who have signified their consent to serve if elected may be nominated for or elected to such office.
- d. Neither the president nor the principal shall be able to nominate members for an officer position.
- e. The executive board shall appoint a committee of three (3) to count ballots as needed after the election. Nominees may not serve on this committee.

Section 4. Vacancies:

A vacancy in any office (except President-elect) shall be filled for the unexpired term by a person elected by majority vote by the remaining members of the executive board, notice of such election having been given. In case a vacancy occurs in the office of President (if there is no co-president or president-elect) the first vice president shall serve until an election can be held.

Section 5. Removal of an Officer:

An officer may be removed from office for failure to perform their duties; failure to attend three (3) consecutive meetings without reasonable excuse; for improper, immoral, and/or inappropriate behavior; or upon knowledge of illegal activity and/or conviction of a crime. Removal is subject to a two-thirds (2/3) vote of the general board.

ARTICLE VII: DUTIES OF OFFICERS

Section 1. President:

The president shall preside at all meetings of the organization, of the executive board and of the general board at which he/she may be present; shall perform such other duties as may be prescribed in these bylaws or assigned to him/her by the organization or by the executive board; shall be a member ex-officio of all committees except the nominating committee; and shall coordinate the work of all officers and committees of the organization in order that the purposes may be promoted.

Section 2. Vice President.

The vice presidents shall act as an aide to the president and in the event that the president-elect position is vacant shall (in their designated order) perform the duties of the president in the absence or inability of that officer to serve.

- a. 1st Vice President of Fundraising shall coordinate and oversee the fundraising activities of the organization.
- b. 2nd Vice President of Communications shall communicate information on behalf of the organization.

Section 3. Secretary:

The secretary shall record the minutes of all meetings of the organization, executive board and general board; shall keep a current copy of the bylaws; shall keep current and up-to date records of membership; do the general correspondence of the organization and shall perform other such duties as may be delegated to him/her.

Section 4. Treasurer:

The treasurer shall have custody of the funds of the organization; shall keep a full and accurate account of receipts and expenditures; and in accordance with the provisions of the annual budget, adopted by the organization, shall make disbursements as authorized by the president, executable board or the general membership. Checks or vouchers shall be signed by two persons including the treasurer and one other member of the executive board. The treasurer shall present a current financial statement at every meeting of the organization and at other times when requested by the executive board, and shall make a full report at the year end meeting. The treasurer shall be responsible for the maintenance of such books of account and records as conform to the requirements in these bylaws. The treasurer's accounts shall be examined annually by an auditing committee of not less than three (3) members or an auditing firm at the end of the fiscal year or when a treasurer leaves office. The members of the auditing committee shall be selected by the general board and upon examination of said records shall sign a statement recording their findings. The treasurer shall be responsible for filing any required tax forms.

Section 5. President-elect:

The president-elect shall perform duties as prescribed by the executive board and shall assume responsibilities of the president if the presiding president cannot perform the duties or leaves office.

Section 6. All officers shall:

- a. Perform their duties in good faith and in accordance with the organization's bylaws and those assigned by the executive board or the organization. The executive board may adopt by resolution the Standards of Conduct pursuant to the North Carolina Nonprofit Organization Act. G.S. 55A-8-42 as amended.
- b. Upon the expiration of the term of office or case of resignation, each officer shall turn over to the president without delay, all records, books and other material pertaining to the office, and shall turn over to the treasurer, without delay, all funds pertaining to the office.
- c. All officers of the executive board shall be bonded by a fidelity bonding company that is approved by the executive board.

ARTICLE VIII: EXECUTIVE BOARD AND GENERAL BOARD MEMBERSHIP AND DUTIES

Section 1. The executive board shall consist of the officers of the organization (President, President-elect, Vice President of Fundraising, Vice President of Communications, Treasurer and Secretary)

Section 2. Duties of the executive board shall be:

- a. To transact necessary business in the intervals between general board meetings and such as may be referred to it by the general board.
- b. To present a report at meetings of the general board.
- c. To create standing committees
- d. To appoint an auditor or auditing committee at least two weeks prior to the end of the fiscal year to audit the treasurer's accounts.
- e. To prepare and submit to the organization for approval a budget for the fiscal year, at the first regular meeting.
- f. To approve routine expenditures within the limits of the budget.

Section 3. The general board shall consist of all the officers and of the executive board and the chairpersons of the standing committees and the principal an/or a representative appointed by him/her.

Section 4. Duties of the general board shall be:

- a. To transact necessary business in the intervals between regular membership meetings of the organization and such business as may be referred to it by the organization.
- b. To approve the plans of work of the standing committees.
- c. To present a report at regular meetings of the organization.

ARTICLE IX: MEETINGS

Section 1. Regular meetings of this organization shall be held at least four (4) times during the school year unless otherwise provided for by the organization. At least a ten-day notice shall be given prior to a regular organization meeting.

Section 2. Special meetings of the organization may be called by the president or by a majority of the general board with five (5) days notice having been given.

Section 3. The election of the officers shall take place at the general PTO meeting in March.

Section 4. Twenty (20) members shall constitute a quorum for the transaction of business in any regular meeting of the organization, unless otherwise specified.

Section 5. Meetings of the general board shall be held on a regular basis, the time to be fixed by the board at its first meeting of the year. Special meetings may be called by the president or by majority of the members of the general board. A majority of the general board shall constitute a quorum. Any and all motions shall pass with two-thirds (2/3) majority of the quorum. At the executive board's discretion, we may offer a vote by proxy.

Section 6. Special meeting of the executive board may be called by the president or by a majority vote of the executive board. A majority of the executive board shall constitute a quorum. Any and all motions of business shall pass with a majority vote of the quorum.

Section 7. All voting for officers shall be handled by paper ballot, to be counted committee appointed by the executive board (see Article VI Section 3.e.) except as provided for in Article VI Section 2.b. All other voting shall be by a show of hands.

ARTICLE X: STANDING AND SPECIAL COMMITTEES

Section 1. Only members of the organization shall be eligible to serve any elected or appointed position.

Section 2. The executive board may create such standing committees as it deems necessary to promote the objects and carry on the work of the organization. The term of each chairperson shall be one (1) year or until election of his/her successor.

Section 3. The chairperson of each standing committee shall present a plan to work to the general board for approval. No committee work shall be undertaken without the consent of the general board.

Section 4. The power to form special committees and appoint their members rests with the executive board.

Section 5. The president shall be a member ex officio of all committees.

ARTICLE XI: FISCAL YEAR

Section 1. The fiscal year of this organization shall begin July 1st and end the following June 30th.

Section 2. An auditing committee consisting of three (3) members shall be appointed by the executive board. The auditing committee shall present a report to the executive board upon completion of the audit.

ARTICLE XII: PARLIAMENTARY AUTHORITY

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

ARTICLE XIII: AMENDMENTS

Section 1.

- a. These bylaws may be amended at any regular meeting of the organization, provided a quorum is present, by two-thirds (2/3) vote of the members present.
- b. Notice of the proposed amendment shall have been given at the previous meeting or 30 days prior to the meeting at which the amendment is vote upon.
- c. A committee may be appointed to submit a revised set of bylaws as 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 general board. The requirement for adoption of a revised set of bylaws shall be the same as in the case of an amendment.

The above Bylaws have been seen and approved this ____ day of _____ 2018.

President

President-elect

First Vice President

Second Vice President

Secretary

Treasurer