

DeSana Dragons Parent Teacher Organization Bylaws

DeSana Middle School

School Name

625 James Road

Street Address

Alpharetta

City

GA

State

30004

Zip Code

Forsyth

County

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BYLAWS

ARTICLE I: NAME

The name of this organization is the **DeSana Dragons PTO** (Parents and Teachers Organization), 625 James Road, Alpharetta, Georgia.

ARTICLE II: PURPOSES

Section 1. The purpose or purposes (Objects) which the PTO will hereafter pursue are:

- a. To promote the welfare of children and youth in home, school, places of worship, and throughout the community;
- b. To raise the standards of home life;
- c. To advocate for laws that further the education, physical and mental health, welfare, and safety of children and youth;
- d. To promote the collaboration and engagement of families and educators in the education of children and youth;
- e. To engage the public in united efforts to secure the physical, mental, emotional, spiritual, and social well-being of all children and youth; and
- f. To advocate for fiscal responsibility regarding public tax dollars in public education funding.

Section 2. The purposes of the PTO are promoted through an advocacy and educational program directed toward parents, teachers, and the general public; developed through conferences, committees, projects, and programs; and are governed and qualified by the basic policies set forth in Article III.

Section 3. The 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

- a. The organization shall be noncommercial, nonsectarian, and nonpartisan;
- b. The organization shall work with the schools 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, schools, and the community at large;
- d. No part of the net earnings of the association shall inure to the benefit of, or be distributable to its members, directors, trustees, officers, or other private persons except that the association 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 association 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 the 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 associations that have established their tax-exempt status under Section 501(c)(3) of the Internal Revenue Code; and
- 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.

ARTICLE IV: OFFICERS AND THEIR ELECTION

Section 1. The officers of this PTO shall consist of:

- ~~one~~ (1) president or two (2) individual co-presidents;
- ~~3~~ vice president(s) *(designate officer's responsibilities and titles, if applicable);
- ~~1~~ secretary *(designate officer's responsibilities and titles, if applicable); and
- ~~1~~ treasurer.

Please note: The Parliamentarian is not elected but is appointed by the President.

Section 2. Each individual officer and individual co-officers shall have a vote.

Section 3. Officers shall be elected in the month of **April** unless special circumstances arise, such as, but not limited to, insufficient nominations received which prohibited fulfillment of officer roles in which case the election may be held during the first General PTO of the following school year which must be held in August.

Section 4. The vote shall be conducted by voice vote. A majority vote shall be required for election.

Section 5. The following provisions shall govern the qualifications and eligibility of individuals to be officers of this PTO:

- a. Each officer shall be a member of this local PTO;
- b. No officer may be eligible to serve more than two consecutive terms in the same office.
- c. A person who has served in an office for more than one half of a full term shall be deemed to have served a full term in such office;
- d. No member shall serve as a council president while serving as a PTO president; and
- e. Be a natural person who is 18 years of age or older. Georgia Code for Non-Profits § 14-3-802

Section 6. Officers shall assume their official duties following the close of the school year and serve for a term of 1 year(s) or until their successor is elected.

Section 7. A vacancy occurring in any office shall be filled for the unexpired term by a person elected by a majority vote of the Board of Directors, notice of such election having been given to the Board of Directors. In case a vacancy occurs in the office of president, the first vice-president shall serve notice of the election.

Section 8. There shall be a nominating committee composed of 3 members (must be an uneven number) and 1 alternates who shall be elected by this local PTO at a regular general membership meeting at least one month prior to the election of officers, as outlined in Article XI, Section 3.

- a. All members of the nominating committee shall be a member of this PTO.
- b. The committee shall elect its own chair.
- c. The nominating committee shall nominate an eligible person for each office to be filled and report its nominees at the regular general membership meeting in **April** at which time additional nominations may be made from the floor.

(Note: Must be the same month in ARTICLE IV: OFFICERS AND THEIR ELECTION, Section 3)

- d. Only those individuals who are current members of this local PTO and who have signified their consent to serve if elected shall be nominated for, or elected to, such office.
- e. The president is not eligible for election to the nominating committee.
- f. The principal is eligible to serve if elected.

Section 9. The slate of proposed officers shall be posted in the school office at least ten (10) days prior to the election meeting.

ARTICLE V: DUTIES OF OFFICERS

Section 1. The President shall:

- a. Preside at all meetings of this local PTO;
- b. Serve as an ex officio member of all committees except the nominating committee;
- c. Coordinate the work of the officers and committees of this local PTO in order that the purposes may be promoted;
- d. Appoint special committees, except the nominating committee;
- e. Appoint a parliamentarian who shall serve at all Executive Committee, Board of Directors and general membership meetings. The parliamentarian shall not vote on any question except in case of a ballot vote;
- f. Be a signatory on all financial accounts of this PTO;
- g. Sign and execute all contracts, agreements or other obligations in the name of this PTO as authorized by the Board of Directors; and

h. Perform such other duties as may be provided for by these bylaws, prescribed by the parliamentary authority, or directed by the Board of Directors or Executive Committee.

Section 2. The vice president(s) shall:

- a. Act as aide(s) to the president;
- b. In their designated order perform the duties of the president in the president's absence or inability to serve; and
- c. Perform such other duties as may be provided for by these bylaws, prescribed by the parliamentary authority, or directed by the president, the Board of Directors, or the Executive Committee.

Section 3. The secretary shall:

- a. Record the minutes of each general, Executive Committee and board meeting of this PTO;
- b. Read or distribute printed copies of the minutes of the previous meeting for approval;
- c. Maintain an accurate membership list as provided by the membership chair or committee;
- d. Have a current copy of the bylaws;
- e. Have minutes from previous meetings for reference at each meeting;
- f. Determine the presence of a quorum prior to any business being conducted;
- g. Call the meeting to order in the absence of the president and vice-president(s), unless the bylaws specify otherwise, and preside until a temporary chair is elected;
- h. Register their signature at the bank as an emergency signatory;
- k. Perform such other duties as may be provided for by these bylaws, prescribed by the parliamentary authority, or as directed by the president, the Board of Directors or the Executive Committee.

Section 4. The treasurer shall:

- a. Have custody of the funds of this local PTO;
- b. Maintain a full account of the funds of this local PTO;
- c. Make disbursements as authorized by the president, or Board of Directors of this local PTO in accordance with the budget adopted by this local PTO;
- d. Have checks or vouchers signed by two people: the treasurer and one other person. Individuals authorized to sign checks shall not be related to each other by marriage or any other relationship;
- e. Never sign a blank check;
- f. Pay all bills by check – never by cash;
- g. Ensure deposits from fundraisers and other sources of income are made the next business day. Never deposit funds of this PTO in a personal or school account;
- h. Always issue a receipt for cash received;
- i. Maintain a full and accurate account of the receipts and disbursements in the books belonging to this PTO;
- j. Be prepared to answer all questions promptly and to have records available at all meetings;
- k. Provide a written financial statement at each meeting of the general membership, Board of Directors and Executive Committee;
- l. Present an annual report of the financial condition of the association;
- m. Have the accounts examined annually at the end of the school year or upon the change of treasurer by an auditor or auditing committee of not fewer than three members;
- n. Not sign checks for this PTO after the books are closed for audit;
- o. Report the findings of the annual audit to this PTO no later than the first general meeting of the new school year;
- p. Determine the gross receipts for the previous fiscal year and file the appropriate federal tax form(s) with the IRS;
- q. Reconcile the bank statements monthly and have the statements reviewed, signed and dated by a PTO member. This PTO member shall not be related to the treasurer by marriage or any other relationship; and
- r. Perform such other duties as may be provided for by these bylaws, prescribed by the parliamentary authority, or directed by the president, the Board of Directors, or the Executive Committee.

ARTICLE VI: THE PTO AUDIT

Section 1. The PTO audit is a financial review that involves following financial transactions through records to be sure that receipts have been properly accounted for and expenditures made as authorized in the minutes and in conformity with PTO bylaws and budget limitations.

Section 2. The purpose of an audit is:

- a. To certify the accuracy of the books and records of the treasurer; and
- b. To assure the membership that PTO resources/funds are being managed in accordance policies and procedures.

Section 3. An annual audit shall take place at the end of the school year and a copy submitted to the Forsyth County Schools Finance Department (Attention: Mr. Candler Howell) by the last business day of September. An additional

audit shall also be performed upon vacancy of the treasurer's position before the new officer assumes his or her duties, or upon the request of a member of this PTO.

a. All PTO's financials are subject to periodic audits by the Forsyth County Schools Finance Department.

Section 4. An auditor or auditing committee of no fewer than three (3) members shall be selected by the Board of Directors no later than two weeks prior to the end of the school year. An auditor or auditing committee member shall not be related to any signees on the checking account by marriage or any other relationship.

Section 5. The annual audit report shall be given to this PTO no later than the first general membership meeting of the new school year.

Section 6. The annual audit report must be signed, dated and included in the minutes of the secretary.

Section 7. The outgoing officers cannot sign checks for this PTO after the books are closed for audit.

Section 8. During the audit process, it is recommended that expenditures within an adopted budget be limited to those of an emergency nature.

ARTICLE VII: REMOVAL FROM OFFICE

Section 1. Any action regarding the process for removal from office shall not be conducted by videoconference or teleconference.

Section 2. Request for removal

- a. Any member of this local unit can request that an elected officer be removed from office. A written request for the removal of any officer must be sent to all members of the Executive Committee, and shall state the reasons for removal.
- b. Within seven (7) days of receiving the written request for removal from office, the Executive Committee shall meet to determine by 2/3 vote whether or not to hold a hearing based solely upon the information presented in the written request.
- c. This Executive Committee shall communicate its decision in writing within three (3) days to the member who submitted the request, to the Board of Directors. A copy of the original request for removal shall be attached to the board copy.

Section 3. Hearing

- a. Prior to a vote for removal from office, the elected officer is entitled to a hearing before this local unit Board of Directors.
- b. A hearing for the removal of an officer shall be held within seven (7) days of the decision to hold a hearing.
- c. The elected officer must be notified by registered mail at least three (3) days prior to the hearing. If the elected official fails to appear, that individual's rights for a hearing are forfeited.
- d. Based upon information presented at the hearing, the board may, by 2/3 vote, recommend removal from office.

Section 4. Action

After the hearing of this local unit Board of Directors, any recommendation for removal from office must be submitted to the membership for action at the next general meeting. An officer may be removed by 2/3 vote of the membership present and voting, a quorum having been established.

ARTICLE VIII: BOARD OF DIRECTORS

Section 1. The affairs of this PTO shall be managed by the Board of Directors in the intervals between local unit PTO general membership meetings.

Section 2. Each board member shall be a member of this local PTO.

Section 3. The members of the board shall be:

- a. Elected officers;
- b. Chairpersons of standing committees;
- c. The principal of the school or a representative appointed by the principal; and
- d. Appointed parliamentarian.

Section 4. Duties of the Board of Directors shall be to:

- a. Transact such business as may be referred to it by the membership of the association;
- b. Create or dissolve special committees;
- c. Present a report at the regular general membership meetings of this local PTO;
- d. Select an auditor or an auditing committee to audit the treasurer's accounts;
- e. Prepare and submit an annual budget to this local PTO's general membership for adoption;
- f. Approve payment of routine bills within the limits of the approved budget;

- g. Fill all vacancies in office; and
- h. Conduct hearings for removal from office.

Section 5. If any standing committee chairperson shall at any time cease to meet the qualifications or fulfill the duties of the position, that person may be removed from the board by a 2/3 vote of the Board of Directors.

Section 6. Regular meetings of the board shall be held with the date and time to be fixed by the board at its first meeting of the year. Three (3) days' notice shall be given of a cancellation or change of date or time unless emergency conditions prevent such notice being given. Meetings by videoconference or teleconference are permitted with the following provisions:

- a. The meeting must be conducted by a technology that allows all participants simultaneous communication;
- b. A quorum must be achieved and maintained in order to conduct business;
- c. Speakers must identify themselves;
- d. Minutes of the meeting must be taken and ratified at the next regular board meeting;
- e. An election to fill a vacancy in office shall not be conducted by videoconference or teleconference; and
- f. Any action regarding the process for removal from office shall not be conducted by videoconference or teleconference.

Section 7. Special meetings of the board may be called by the president or when requested by a majority of the board members upon three (3) days' written notice to each member of the board.

Section 8. At all meetings of the board, a majority of the members of the board shall constitute a quorum for the transaction of business.

Section 9. Upon the expiration of the term of office or when individuals cease to hold the position that entitles them to be a member of the board, they shall automatically cease to be a member of the board and shall be relieved of all duties and responsibilities incident to such membership. All records, funds, books and other materials pertaining to the position shall be relinquished to the president within fourteen (14) days.

ARTICLE IX: EXECUTIVE COMMITTEE

Section 1. There shall be an Executive Committee of this PTO, the members of which shall be:

- a. All elected officers;
- b. The principal or representative appointed by the principal; and
- c. Appointed parliamentarian if one is appointed.

Section 2. Regular meetings of the Executive Committee shall be held with the date and time to be fixed at its first meeting of the year. Three (3) days' notice shall be given of a cancellation or change of date or time unless emergency conditions prevent such notice being given. Meetings by videoconference or teleconference are permitted with the following provisions:

- a. The meeting must be conducted by a technology that allows all participants simultaneous communication;
- b. A quorum must be achieved and maintained in order to conduct business;
- c. Speakers must identify themselves;
- d. Minutes of the meeting must be taken and ratified at the next regular committee meeting; and
- e. Any action regarding the process for removal from office shall not be conducted by videoconference or teleconference.

Section 3. Special meetings of the Executive Committee may be called by the president or upon written request of a majority of the Executive Committee members within three (3) days' notice to each member of the Executive Committee.

Section 4. A majority of the Executive Committee shall constitute a quorum for the transaction of business.

Section 5. Duties of the Executive Committee shall be to:

- a. Transact business referred to it by the board;
- b. Determine standing committees necessary to promote the purposes of this PTO;
- c. Appoint standing committee chairpersons and members;
- d. Receive plans of work from committee chairpersons and approve them before their use is authorized;
- e. Act in emergencies between meetings of the board;
- f. Make a report at each board meeting; and

Section 6. The Executive Committee shall take no action in conflict with any action taken by the general membership or the Board of Directors.

ARTICLE X: STANDING AND SPECIAL COMMITTEES

Section 1. Only members of this local PTO shall be eligible to serve in any elective or appointive positions.

Section 2. The Board of Directors may create or dissolve such special committees as it may deem necessary to promote the purposes of PTO and carry on the work of this local PTO.

Section 3. The term of office of a committee chairperson shall be 1 year(s) or until the selection of a successor.

Section 4. The chair of each committee shall present a plan of work to the Executive Committee for approval. No committee work shall be undertaken without the approval of the Executive Committee.

ARTICLE XI: GENERAL MEMBERSHIP MEETINGS

Section 1. At least three (3) regular meetings of this PTO shall be held during the school year. Dates and times of meetings shall be determined by the Executive Committee and announced at the first regular meeting of the year. Three (3) days' notice shall be given of a cancellation or change of date or time unless emergency conditions prevent such notice being given. Meetings conducted by videoconference or teleconference shall be prohibited.

Section 2. Special meetings of this local unit PTO may be called by the president or by a majority of the Board of Directors, three (3) days' notice having been given.

Section 3. The election meeting shall be held in April unless special circumstances arise, such as, but not limited to, insufficient nominations received which prohibited fulfillment of officer roles in which case the election may be held during the first General PTO of the following school year which must be held in August. (Must be the same month as in ARTICLE IV: OFFICERS AND THEIR ELECTION, Section 3 and Section 8c.)

Section 4. The last regular meeting of this PTO shall be known as the annual meeting for annual committee reports and the installation of officers.

Section 5. The privilege of making motions, debating and voting shall be limited to members of this PTO who have paid dues for the current membership year.

Section 6. 10 members shall constitute a quorum for the transaction of business in any meeting of this local PTO.

ARTICLE XII: COUNCIL MEMBERSHIP

Section 1. This local PTO shall be represented in meetings of the Forsyth County Council of PTA and/or PTOs by the president, or their alternate, the principal, or their alternate, and by two (2) delegates or their alternates. Names of the voting delegates and their alternates shall be submitted to the council PTO prior to the first council meeting. Delegates or their alternates to the council PTO shall:

- a. Be members of this local PTO
- b. Be appointed by the Executive Committee; and
- c. Serve for a term of one (1) year.

Section 2. This PTO shall pay annual dues as assessed by the council PTO as provided in the council bylaws.

ARTICLE XIII: FISCAL YEAR AND IRS FORM(S)

Section 1. The fiscal year of this PTO shall begin on June 1 and end on the following May 31.

Section 2. The fiscal year is:

- a. A twelve-month period used for filing the appropriate 990; and
- b. Registered with the IRS when the first 990 is filed.

Section 3. All PTOs are required to file a 990N, or 990EZ regardless of gross receipts. The appropriate 990 is due the 15th day of the 5th month after the close of the fiscal year. (Failure to file a 990 for three (3) consecutive years will result in the loss of tax exempt status.)

ARTICLE XIV: PARLIAMENTARY AUTHORITY

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

ARTICLE XV: AMENDMENTS

Section 1. These bylaws may be amended at any regular general membership meeting of this PTO with the following provisions:

- a. Articles and sections of these bylaws identified by a number symbol (#) may not be amended or revised;
- b. Notification of the proposed amendment(s) has been provided to the membership thirty (30) days prior to voting;
- c. A two-thirds vote is required, a quorum being present.