

Sample Bylaws

CHERRY CREEK SCHOOL DISTRICT PARENT TEACHER COMMUNITY COUNCIL, INC. (School Name PTO/PTCO) BY-LAWS Dated (MM/DD/YYYY) as amended (MM/DD/YYYY)

ARTICLE I

NAME*

The name of the organization shall be the Cherry Creek School District Parent Teacher Community Council, Inc. (*School's Name PTO or PTCO*), hereafter known as the (*PTO/PTCO*).

ARTICLE II

PURPOSE*

1. The purpose of the PTO shall be to assist in attaining the highest level of education and welfare for the entire student body of (*school name*) through the cooperative efforts of the Faculty and Staff, the Cherry Creek District community and the parents.
2. This PTO is a subordinate organization of and is organized under authority granted by the Cherry Creek School District Parent Teacher Community Council, Inc., otherwise known as CCSD Parents' Council.
3. This PTO is organized solely for charitable, scientific, literary or educational purposes as defined in Section 501(c)(3) of the Internal Revenue Code. This organization is not a private foundation.

ARTICLE III

MEMBERSHIP

1. GENERAL – General membership shall consist of the parents or guardians of students, the administrators, the faculty and the staff of (*school name*).
2. ASSOCIATE – Associate membership shall consist of the students of (*school name*) and interested members of the community.
3. No dues shall be required for membership.

ARTICLE IV

ELECTED OFFICERS AND THEIR DUTIES

1. President/Co-Presidents
 - a. To call and preside at all meetings of the organization.
 - b. To be a member *ex-officio* of all committees.
 - c. To work with the Executive Board to appoint chairpersons of Standing and Special Committees, the Nominating Committee and representatives.
 - d. To attend CCSD Parents' Council general meetings or assign a representative (Parents' Council Representative or Representatives).
 - e. To sign checks in the absence of the Treasurer.
 - f. Review monthly financial statements with the Treasurer.
 - g. To appoint an examiner not on the current Executive Board to conduct the year-end financial examination of the organization's book. To submit a copy of the examination to the Treasurer of CCSD Parents' Council no later than 30 (thirty) days after completion. *
 - h. To submit an annual affiliation letter to the CCSD Parents' Council asking to continue as a subordinate organization under the 501(c)(3) tax exempt group status. *
 - i. To attend a minimum of one CCSD Parents' Council Leadership Workshop upon election. *
 - j. To the best of your ability, to attend District functions where individuals from your school are invited and/or honored, including the Area Director luncheon(s), Exceptional Volunteer of the Year event, Open Forum roundtable discussions and the Teacher of the Year banquet.
2. First Vice President
 - a. To preside in the absence of the President(s).
 - b. To act as the Parliamentarian.
3. Second Vice President
 - a. To preside in the absence of the President(s) and the First Vice President.
 - b. To keep the PTO/PTCO aware of school events.
4. Secretary/Secretaries
 - a. To record, transcribe and distribute the minutes of all PTO/PTCO and Executive Board meetings. *
 - b. To maintain and keep current a copy of the Bylaws. *
 - c. To handle all incoming and outgoing correspondence as needed by the PTO/PTCO.
 - d. To maintain a current listing of the Executive Board and the Committee Chairpersons.

e. To provide a copy of the Executive Board listing, including contact information (Name, Address, Phone and E-Mail Address of each) to the CCSD Parents' Council upon election. *

5. Treasurer/Treasurers

a. To receive, deposit and disburse the funds of the organization, as authorized by the Executive Board.

b. To maintain accurate records of all financial transactions. *

c. To submit monthly financial statements to the Board.

d. To submit financial records for examination by July 15 to Executive Board (review to be completed by August 15).*

e. To sign the Affiliation Letter for CCSD Parents' Council along with the President.

f. To prepare the Annual Budget in conjunction with the Budget Committee for approval by the Executive Board and ratification by the General Membership. *

g. To submit a copy of the Annual Budget to the Treasurer of CCSD Parents' Council upon formal approval by the PTO membership. *

h. To attend a minimum of one CCSD Parents' Council Treasurer's Workshop upon election. *

i. To maintain and reconcile the organization's checkbook with bank records.

j. To register the organization as a Charitable Organization in the State of Colorado with the Secretary of State. *

k. To file all annual financial statements/tax returns and schedules, regardless of income, with the Internal Revenue Service and the Colorado Secretary of State. *

l. To send copies of each filing to the Treasurer of the CCSD Parents' Council no later than 30 (thirty) days after such filing. *

ARTICLE V

ELECTION OF OFFICERS

1. The Nominating Committee shall consist of the Principal, two Board members and two General members. The members of the Nominating Committee shall elect the Chairperson of the Committee.
2. The Nominating Committee shall nominate a candidate for each elected office. The slate of candidates for each office shall be presented at least 30 (thirty) days prior to voting.
3. The election shall take place in the spring of each school year.
4. Nominations shall be accepted from the floor at a general meeting on the condition that the nominee consents.

5. Election shall be by voice vote if there is only one nominee for an office. If more than one candidate is nominated for an office, the election shall be by a plurality of those present and voting at a general meeting by a written ballot.
6. The term of the office for all members of the Executive Board shall be from July 1st to June 30th.
7. No officer shall be eligible to serve in the same office for more than two consecutive years.
8. In the event a vacancy should occur among the elected officers, the President(s) should call a meeting of the Executive Board within 30 (thirty) days to appoint a new officer to finish the unexpired term.

ARTICLE VI

BOARD COMPOSITION

The Executive Board shall be composed of the elected officers, a designated district administrator (i.e. Principal or assistant principal) and the immediate Past President.

ARTICLE VII

MEETINGS

1. **Regular meetings of the membership** shall be held during the school year. The meeting dates for the entire year should be advertised before the beginning of the school year, but no less than 30 days prior to the meeting, through print and electronic means available to the organization.*
2. Meetings shall be open to all members of the organization and interested community members.*
3. Special meetings of the Executive or General Board may be called by the President(s) or the Principal with a five-day notice, through print and electronic means available to the organization.*
4. A joint meeting of the outgoing and incoming Boards shall be held at the last regular meeting of each school year.
5. Members of the Board shall attend all regularly scheduled meetings during the year and may not be absent from more than three meetings. Failure to comply may constitute a vacancy. Exceptions to this policy may be appealed to the Executive Board.
6. Minutes shall be kept at all general membership meetings.

ARTICLE VIII

OPERATING PRINCIPLES*

The following are the operating principles to be followed by this PTO/PTCO, as required by the Cherry Creek School District Parent Teacher Community Council, Inc. (CCSD Parents' Council).

1. The organization shall not engage in or endorse any commercial activities. This does not, however, prevent the organization from carrying on fund raising activities related to its purpose. Nor does it prevent a commercial enterprise from sponsoring an activity related to the organization's purpose.
- 2.

TITLE 26, SECTION 4911 of the IRS Code

A Parent Teacher 501(c)(3) Tax-Exempt Organization is allowed:

- To participate in political activities and supporting or influencing legislation, such as a school budget issue or a referendum.
- To participate in activities to influence legislation that may be considered as directly connected to the "survival" of the organization, such as a referendum supporting education.
- To have a speaker come and present information for or against proposed legislation.

A Parent Teacher 501(c)(3) Tax-Exempt Organization is not allowed:

- To expend monies to have a candidate running for election as a speaker at a meeting, or to endorse a political candidate.
- To expend a "substantial" amount of their funds on activities to influence legislation. A conservative rule of thumb is that the PTCO spend no more than five percent (5%) of its annual expenditures in support of election activities.

3. No part of the net earnings of the organization shall inure to the benefit of its members, directors, officers or other private persons. The organization may carry on only those activities permitted under the Internal Revenue Code, Section 501(c)(3).
4. Upon the dissolution of this organization and after paying for the debts of the organization, the remaining assets shall be distributed to one or more non-profit organizations, which are tax exempt under Section 501(c)(3) of the Internal Revenue Code.

ARTICLE IX

AFFILIATION WITH CCSD PARENTS' COUNCIL (CHERRY CREEK SCHOOL DISTRICT PARENT TEACHER COMMUNITY COUNCIL, INC.)*

1. This organization is structured under the authority of the Cherry Creek School District Parent Teacher Community Council, Inc. (CCSD Parents' Council) and is chartered as a subordinate organization in accordance with the rules prescribed by the CCSD Parents' Council.
2. An annual Affiliation Letter shall be signed by the President and Treasurer of the PTO/PTCO to the CCSD Parents' Council President affirming their continuation as a subordinate organization under the CCSD Parents' Council Tax Exempt 501(c)(3) status with the Internal Revenue Service. A copy of the document with the original or facsimile signature shall be provided the CCSD Parents' Council. (A signature received via a FAX or electronic document is deemed acceptable.)
3. The membership fee required by the CCSD Parents' Council shall be an obligation of this organization.
4. A copy of the bylaws, including certain provisions required by the CCSD Parents' Council, shall be forwarded to the CCSD Parents' Council Treasurer upon adoption. Further, when amendments are made to the Bylaws, a copy of the amended Bylaws shall be submitted to the CCSD Parents' Council Treasurer.
5. Copies of all annually required financial filings to the Internal Revenue Service and the Secretary of State (State of Colorado) shall be submitted to the Treasurer of the CCSD Parents' Council within 30 days of filing.
6. Permanent books and records shall be maintained with sufficient detail to adequately reflect all sources of income and nature of expenditures. Such books and records will be made available for inspection, at reasonable times, upon request of an authorized representative of the CCSD Parents' Council.
7. The President (or Co-Presidents) of this organization shall be a member/members of the CCSD Parents' Council. If the President(s) are unable to attend regular Parents' Council meetings, it is recommended that one or more Parents' Council representatives be assigned to attend and report during regular PTO meetings.
8. As a subordinate organization of the CCSD Parents' Council, this group is obligated to operate in accordance with provisions required by the CCSD Parents' Council and the Operating Principles outlined in these Bylaws, and is subject to investigation, mediation and decisions of the Parents' Council Executive Board, as deemed necessary to uphold the

Purpose of this organization and protect its tax status. Failure to comply with these provisions could result in withdrawal by the CCSO Parents' Council of the charter of this organization and removal of all affiliate benefits.

ARTICLE X

FISCAL YEAR*

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

ARTICLE XI

QUORUM, VOTER ELIGIBILITY AND VOTING

1. The General Membership and Board Members present at any meeting shall be entitled to vote for the purpose of transacting the business of the organization. All eligible voters at a meeting shall constitute a quorum. Unless otherwise required in the Bylaws, a majority vote shall decide all matters at the meeting. The President shall vote only in the event of a tie vote.

2. Conflict of Interest

Whenever a member or officer has a financial or personal interest in any matter coming before the Executive Board or general board, the affected person shall a) fully disclose the nature of the interest and b) withdraw from discussion, lobbying, and voting on the matter. Any transaction or vote involving a potential conflict of interest shall be approved only when a majority of disinterested members determine that it is in the best interest of the organization to do so. The minutes of meetings at which such votes are taken shall record such disclosure, abstention and rationale for approval.*

3. Voting by Electronic Communication.

a. The Executive Board may take action, without a meeting, by electronic communication if action is required before the next scheduled meeting. A notice stating the action to be taken and the time by which a response is required must be included in the electronic communication to each member of the Board.

b. The board member may vote or demand action not be taken without a meeting by the required response date in like communication.

c. Failure to respond by the time stated in the notice will have the same effect as abstaining from voting.

d. The action passes with affirmative vote from the simple majority of the Executive Board.

e. The action must be ratified at the next scheduled meeting and documented in the minutes.

ARTICLE XII

AMENDMENTS*

1. Bylaws shall be reviewed by the Board annually.
2. These Bylaws may be amended at any general meeting by a majority of the votes of the General members and Board members present and voting, provided that written notice of the proposed amendment(s) shall have been given thirty (30) days prior to the meeting, **and have prior approval by the Executive Board.**

Original Adoption: MM/DD/YYYY

As Amended: MM/DD/YYYY
 MM/DD/YYYY

(Add dates as amendments are made. If prior dates are unavailable, start with the earliest version available, then add amendment dates from that point.)

*Indicates articles or sections required by the Cherry Creek School District Parent Teacher Community Council, Inc. Modifications may be made to adapt to each PTO's/PTCO's specific desires as long as the basic philosophy and intent remains.