



Courtade Elementary School PTO



# **COURTADE ELEMENTARY SCHOOL**

## **PARENT TEACHER ORGANIZATION P.T.O.**

### **ORGANIZATIONAL BY-LAWS**

Revised & Restated on February 14, 2018

Courtade Elementary School PTO

**Article I. ORGANIZATION NAME**

The name of the organization shall be: Courtade Elementary School Parent Teacher Organization.

**Article II. ARTICLES OF ORGANIZATION**

The bylaws, the Conflict of Interest Policy, and the Monetary Policies and Procedures of this organization shall be deemed to be part of its articles of organization.

**Article III. TAX-EXEMPT PURPOSE**

Section 1. Said organization is organized exclusively for charitable and educational purposes, including, for such purposes, the making of distributions to organizations that qualify as exempt organizations under section 501(c)(3) of the Internal Revenue Code, or corresponding section of any future tax code.

Section 2. No part of the net earnings of the organization shall inure to the benefit of, or be distributable to its members, 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 the purpose clause hereof.

Section 3. 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 in (including the publishing or distribution of statements) any political campaign on behalf of any candidate for public office.

Section 4. Notwithstanding any other provision of this document, 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 501(c)(3) on the Internal Revenue Code, corresponding section of any future federal tax code, or (b) by an organization, contributions to which are deductible under section 170(c)(2) of the Internal Revenue Code, or corresponding section of any future federal tax code.

**Article IV. OBJECTIVES**

Section 1. The objectives of Courtade Elementary School PTO are:

- To enhance the social, mental, and physical education of Courtade Elementary School students through volunteer and financial resources.
- To promote and facilitate communication between Courtade Elementary School administration, teachers, parents, and students, so that families and staff may cooperate.

## Courtade Elementary School PTO

- To foster and cultivate pride in Courtade Elementary School throughout the community.

Section 2. The objectives of this association shall be promoted through educational programs directed toward parents, teachers and the community; are developed through committees, projects, events and programs; and are governed and qualified by the basic policies set forth in these Bylaws.

### **ARTICLE VI. MEMBERSHIP**

Section 1. Any Courtade Elementary School parent, legal guardian, or staff member who subscribes to the objectives and basic policies of this organization may become a member of this organization; subject only to the compliance with the provision of the by-laws. Membership in this organization shall be available without regard to race, color, religion, gender, gender expression, age, national origin, disability, marital status, sexual orientation or military status.

Section 2. Only members of the organization shall be eligible to participate in its business meetings or to serve in any of its elective or appointive positions.

Section 3. The membership year shall coincide with the school calendar year.

### **ARTICLE VII. BASIC POLICIES**

Section 1. This organization shall be non-commercial, non-sectarian, and non-partisan. It shall not endorse a commercial enterprise or candidate. The name of the organization shall not be used in any connection with a commercial concern or with any partisan interest or for any other purpose than the regular work of the organization.

Section 2. This organization shall not directly or indirectly participate or intervene in any way, including the publishing or the distributing of statements, in any political campaign on behalf of, or in opposition to, any candidate for public offices, or devote more than an insubstantial part of its activities in an attempt to influence legislation by propaganda or otherwise.

Section 3. 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 boards of education.

Section 4. This organization shall cooperate with other organizations and agencies concerned with child welfare, but persons representing the organization in such matters shall make no commitments that bind the organization without approval of the executive committee.

Section 5. In the event of the dissolution of the organization, its assets shall revert to Courtade Elementary School. (See ARTICLE XV- DISSOLUTION)

Courtade Elementary School PTO

Section 6. Only parents or guardians of children that attend Courtade Elementary School and the staff representatives will vote on any issues or elections presented at PTO general or executive meetings.

**ARTICLE VIII. MEETINGS**

Section 1. Regular meetings of this organization shall be held on a date and time mutually agreed upon by the Executive Committee.

Section 2. The annual meeting shall be in May.

Section 3. The executive committee shall conduct the business at all announced meetings with the number of eligible voters in attendance constituting a quorum. A quorum shall be established so long as three (3) members are in attendance, two (2) of whom must be board members.

**ARTICLE IX. OFFICERS AND THEIR ELECTION**

Section 1. The officers of this organization shall be a President, Vice-President, Secretary and Treasurer.

Officers shall be elected by the members annually in the month of May. Voting may be by ballot or by voice vote. If there is but one nominee for any office, it shall be in order for any member to move to elect the nominee as the nominee is unopposed.

A person shall not be eligible to serve more than two consecutive terms in the same office. However, if there is not a new parent willing to accept a position and the current board member is willing to continue in that position, he/she is eligible to be nominated and re-elected.

A person shall not be eligible to serve in any elected office in the event that they have previously stepped down or been removed from office prior to the end of their term.

Section 2. Nomination forms shall be distributed during the March meeting and must be returned at least seven (7) days prior to the April meeting.

All qualified individuals who are nominated shall be announced during the the April meeting. The vote shall be conducted by written ballot and a simple majority vote of those present shall elect.

Officers shall assume their official duties at the close of the annual meeting in May and shall serve for a term of two (2) years, remaining in office until their successors assume office.

Section 3. In the event of a vacancy occurring in any office, other than that of President, the remaining members of the board shall nominate a replacement to be approved by a majority vote of the members at the next monthly meeting. In case a vacancy occurs

## Courtade Elementary School PTO

in the office of the President, the Vice President shall assume the office of President. The office of Vice-President shall be chosen as designated above.

Section 4. An Executive Board Officer may be removed from office for failure to perform the duties of their position, failure to abide by the Articles of the Organization, or without cause by a two-thirds vote of those present (assuming a quorum) at a meeting where previous notice has been given.

### **ARTICLE X. DUTIES OF OFFICERS**

Section 1. THE PRESIDENT SHALL:

- A. Preside at all meetings of the organization and the Executive Board.
- B. Be a member ex-officio of all committees except the committee on nominations.
- C. Perform such other duties as may be prescribed in these by-laws or assigned him or her by the organization or the Executive Board.
- D. Coordinate the work of the officers and committees in order that the objectives may be promoted.
- E. Call all special meetings and appoint all special and standing committees.
- F. Have the authority to co-sign checks drawn by the Treasurer.

Section 2. The Vice President shall act as aid to the President and perform the duties of the President in the absence or inability of that officer to serve. The Vice President shall also have the authority to co-sign checks drawn by the Treasurer.

Section 3. THE SECRETARY SHALL:

- A. Keep an accurate record at all meetings of the organization, and of the Executive Board.
- B. Conduct the correspondence delegated to him/her.
- C. Present a report at the regular meeting of the organization.

Section 4. THE TREASURER SHALL:

- A. Receive all monies of the organization.
- B. Keep an accurate record of receipts and expenditures.
- C. Pay funds in accordance with the approved budget as authorized by the organization.
- D. Present a financial statement at every meeting of the organization and at other times when requested by the Executive Board.
- E. Make a yearly report at the annual meeting.
- F. The Treasurer's accounts shall be examined annually by an auditing committee of not less than three members including Treasurer-elect; who, satisfied that the Treasurer's annual report is correct, shall sign a statement of that fact at the end of the report. The auditing committee shall be appointed by the Executive Board at least two weeks before the annual meeting.
- G. The names on the bank accounts for the PTO shall be the President, Vice President and Treasurer of the organization.

Courtade Elementary School PTO

- H. The Treasurer shall sign all checks, and shall obtain the co-signature of either the President or the Vice-President on all checks and withdrawals from any bank account.

Section 5. ALL OFFICERS SHALL:

- A. Perform the duties prescribed on the parliamentary authority in addition to those outlined in these bylaws and those assigned from time to time.
- B. Deliver to their successors all official material within 15 days following the expiration of their term of office.

**ARTICLE XI. EXECUTIVE BOARD**

Section 1. The Executive Board shall consist of the officers of the organization and a representative of Courtade Elementary School administration. The members of the Executive Board shall serve until their successors assume office. For purposes of an Executive Board meeting, a quorum shall consist of two (2) members of the Executive Board.

Section 2. THE DUTIES OF THE EXECUTIVE BOARD SHALL BE;

- A. To transact necessary business in the intervals between organization meetings and such other business as may be referred to it by the organization.
- B. To create standing committees.
- C. To approve plans of work of the standing committees.
- D. To appoint an auditing committee at least two weeks before the annual meeting to audit the treasurer's accounts.
- E. To approve routine bills within the limits of the budget.
- F. To create the PTO general meeting agenda.

Section 3. Regular meetings of the Executive Board shall be held monthly during the school year, the time to be fixed by the Board at its first meeting of the year. Additional meetings of the Executive Board may be held during the school year with two (2) days' notice.

Section 4. Disbursements of \$150 or less in the ordinary course of business may be made as necessary so long as approved by a majority of board officers.

**ARTICLE XII. STANDING COMMITTEES**

Section 1. Such standing committees shall be created by the Executive Board as may be required to promote the objectives and interest of this organization. The standing committees shall be appointed by the President with the approval of the Board.

Section 2. The Chairperson of each standing committee shall present a plan of work to the Executive Board for approval. No committee work shall be undertaken without the consent of the Executive Board.

Courtade Elementary School PTO

Section 3. The power to form special committees and appoint their members rest with the organization. Since a special committee is created and appointed for a specific purpose, it automatically goes out of existence when the work is done and its final report received.

Section 4. The President shall be ex-officio a member of all committees except the nomination committee.

**ARTICLE XIV. PARLIAMENTARY AUTHORITY**

ROBERT'S RULES OF ORDER REVISED shall govern the organization in all cases in which they are not in conflict with these by-laws.

**ARTICLE XV. AMENDMENTS and REVISIONS**

These bylaws may be amended or revised at any regular meeting of the organization by a two-thirds (2/3) vote of the members present and voting provided that notice of the proposed amendment shall have been given at the previous meeting.

After adoption of the bylaws by a two-thirds (2/3) vote of the members present and two (2) copies of the current bylaws shall be placed in the Courtade Elementary School LMC and the Courtade Elementary School Principal's Office File.

**XVI. FISCAL YEAR**

The fiscal year of this organization shall begin no later than the fourth Tuesday of May each year through the same day of the following year.

**XVII. DISSOLUTION**

Section 1. Notice of intent to disband must be given to MEMBERS at least thirty (30) days prior to meeting; a two-thirds (2/3) vote is required for passage, with a quorum present.

Section 2. Under the dissolution of the organization, all organization debts shall be settled, and remaining assets shall be distributed for one or more exempt purposes within the meaning of section 501(c)(3) of the Internal Revenue Code, or corresponding section of any future federal tax code, or shall be distributed to the federal government, or to state or local government for public purpose. Any such assets not disposed of shall be deposited in the Circuit Court for Grand Traverse County, Michigan, exclusively for such purposes or to such organization or organizations, as said Court shall determine, which are organized and operated exclusively for such purposes.

Section 3. In the event of the dissolution of the organization, its assets shall revert to Courtade Elementary School.

## **COURTAIDE ELEMENTARY SCHOOL PARENT TEACHER ORGANIZATION**

### **CONFLICT OF INTEREST POLICY**

#### **ARTICLE I: PURPOSE**

The purpose of the conflict of interest policy is to protect this tax-exempt organization's interest when it is contemplating entering into a transaction or arrangement that might benefit the private interest of an officer or director of the organization or might result in a possible excess benefit transaction. This policy is intended to supplement but not replace any applicable state and federal laws governing conflict of interest applicable to nonprofit and charitable organizations.

#### **ARTICLE II: DEFINITIONS**

- A. Interested Person: Any director, principal officer, or member of a committee with governing board-delegated powers who has a direct or indirect financial interest, as defined below, is an interested person.
- B. Financial Interest: A person has a financial interest if the person has, directly or indirectly, through business, investment, or family:
1. An ownership or investment interest in any entity with which the organization has a transaction or arrangement;
  2. A compensation arrangement with the organization or with any entity or individual with which the organization has a transaction or arrangement; or
  3. A potential ownership or investment interest in, or compensation arrangement with, any entity or individual with which the organization is negotiating a transaction or arrangement. "Compensation" includes direct and indirect remuneration as well as gifts or favors that are not insubstantial. A financial interest is not necessarily a conflict of interest. Under Section 3B, a person who has a financial interest may have a conflict of interest only if the appropriate governing board or committee decides that a conflict of interest exists.

#### **ARTICLE III: PROCEDURES**

- A. **Duty to Disclose**  
Regarding any actual or possible conflict of interest, an interested person must disclose the existence of the financial interest and be given the opportunity to disclose all material facts to the directors and members of committees with governing board-delegated powers who are considering the proposed transaction or arrangement.
- B. **Determining Whether a Conflict of Interest Exists**  
After disclosure of the financial interest and all material facts, and after any discussion with the interested person, he/she shall leave the governing board or committee meeting while the determination of a conflict of interest is discussed and voted upon. The remaining board or committee members shall decide whether a conflict of interest exists.
- C. **Procedures for Addressing the Conflict of Interest**
- An interested person may make a presentation at the governing board or committee meeting, but after the presentation, he/she shall leave the meeting



## Courtade Elementary School PTO

during the discussion of, and the vote on, the transaction or arrangement involving the possible conflict of interest.

- The chairperson of the governing board or committee shall, if appropriate, appoint a disinterested person or committee to investigate alternatives to the proposed transaction or arrangement.
- After exercising due diligence, the governing board or committee shall determine whether the organization can obtain, with reasonable efforts, a more advantageous transaction or arrangement from a person or entity that would not give rise to a conflict of interest.
- If a more advantageous transaction or arrangement is not reasonably possible under circumstances not producing a conflict of interest, the governing board or committee shall determine by a majority vote of the disinterested directors whether the transaction or arrangement is in the organization's best interest, for its own benefit, and whether it is fair and reasonable. In conformity with the above determination, it shall make its decision as to whether to enter into the transaction or arrangement.

### **D. Violations of the Conflict of Interest Policy**

- If the governing board or committee has reasonable cause to believe a member has failed to disclose actual or possible conflicts of interest, it shall inform the member of the basis for such belief and afford the member an opportunity to explain the alleged failure to disclose.
- If, after hearing the member's response and after making further investigation as warranted by the circumstances, the governing board or committee determines that the member has failed to disclose an actual or possible conflict of interest, it shall take appropriate disciplinary and corrective action.

### **SECTION 4. RECORDS OF PROCEEDINGS**

*The minutes of the governing board and all committees with board delegated powers shall contain:*

- A. The names of the persons who disclosed or otherwise were found to have a financial interest in connection with an actual or possible conflict of interest; the nature of the financial interest; any action taken to determine whether a conflict of interest was present; and the governing boards or committee's decision as to whether a conflict of interest in fact existed.
- B. The names of the persons who were present for discussions and votes relating to the transaction or arrangement; the content of the discussion; including any alternatives to the proposed transaction or arrangement; and a record of any votes taken relating to the proceedings

### **SECTION 5. COMPENSATION**

- A. A voting member of the governing board who receives compensation, directly or indirectly, from the organization for services is precluded from voting on matters pertaining to that member's compensation.

## Courtade Elementary School PTO

- B. A voting member of any committee whose jurisdiction includes compensation matters and who receives compensation, directly or indirectly, from the organization for services is precluded from voting on matters pertaining to that member's compensation.
- C. No voting member of the governing board or any committee whose jurisdiction includes compensation matters and who receives compensation, directly or indirectly, from the organization, either individually or collectively, is prohibited from providing information to any committee regarding compensation.

### **SECTION 6. ANNUAL STATEMENTS**

- A. Each director, principal officer, and member of a committee with governing board-delegated powers shall annually sign a statement which affirms that such person:
  - B. Has received a copy of the conflict of interest policy
  - C. Has read and understood the policy
  - D. Has agreed to comply with the policy
  - E. Understands that the organization is charitable and that in order to maintain its federal tax-exempt status it must engage primarily in activities which accomplish one or more of its tax-exempt purposes.

### **SECTION 7. PERIODIC REVIEWS**

To ensure that the organization operates in a manner consistent with charitable purposes and does not engage in activities that could jeopardize its tax-exempt status, periodic reviews shall be conducted. The periodic reviews shall, at a minimum, include the following subjects:

- A. Whether compensation arrangements and benefits are reasonable, are based on competent survey information, and are the result of arm's length bargaining.
- B. Whether partnerships, joint ventures, and arrangements with management organizations conform to the organization's written policies, are properly recorded, reflect reasonable investment or payments for goods and services, further charitable purposes, and do not result in inurement, impermissible private benefit, or an excess benefit transaction.

### **SECTION 8. USE OF OUTSIDE EXPERTS**

When conducting the periodic reviews as provided for in Section 7, the organization may, but need not, use outside advisers. If outside experts are used, their use shall not relieve the governing board of its responsibility for ensuring that periodic reviews are conducted.

## Monetary Policies and Procedures

*PTO funds are intended to benefit the students through the enhancement of school programs and activities. The Courtade Elementary School PTO Officers are the guardians of these funds and have an obligation to see that they are protected and used wisely. It is very important that everyone follow these policies.*

### **SECTION 1. REIMBURSEMENT FOR EXPENSES**

1. The PTO prefers to pay bills directly, rather than requiring individual volunteers to pay expenses and then get reimbursed. However, there will be circumstances where reimbursements are necessary.
2. ***All reimbursements require a receipt.*** There can be no reimbursement of costs without the actual receipt or invoice.
3. ***Please do not eat expenses.*** We do our budgeting and plan our fundraisers based on prior years' experience; if volunteers do not submit expenses, we underreport our expenses and cause budgeting problems for future years. If someone wishes to donate items they have purchased, please contact the Treasurer to ensure that the donation is correctly accounted for.
4. The chair of an event/activity is responsible for collecting and submitting all receipts and completed reimbursement forms to the PTO Treasurer ***within 2 weeks*** of the event. Please do not accumulate receipts and wait to submit them; submit all receipts as soon as possible.
5. Volunteers must turn in completed "Check Request" forms and the receipts to their respective committee chairperson.
6. The officer responsible for the budget line item involved must sign the form before funds will be disbursed; please contact the responsible officer to let them know you have a request form to be signed.
7. Blank "Check Request" forms are available in the form folders in the PTO box in the main office and on the Courtade Elementary School PTO Website.
8. *If payment is needed prior to an event*, please contact the treasurer as early as possible to schedule the payment. Please have the "Check Request" form complete with approval signature of the appropriate officer to exchange for the check. The check will not be disbursed without the officer's approval, and our policy requires that all checks have two signatures, so it takes some time to get a check processed. *Please plan for these situations!!*

### **SECTION 2. REQUESTING CHECKS**

1. Completed "Check Request" forms can be left in PTO mailbox in the PTO or can be mailed directly to the treasurer.
2. Blank signed checks will not be issued for any reason.
3. As a rule, allow two weeks for processing of a reimbursement. If the request is more time critical, contact the Treasurer by phone or email.
4. PTO's books close June 30, when all budgeted accounts revert to the general purposes of the PTO.
5. ***All requests for reimbursements must be in the hands of the Treasurer by June 1st*** to allow adequate time for processing. The only exceptions are end-of-year parties and other June events, which are due by the last day of school.
6. ***No reimbursements will be made after June 30th.***

### **SECTION 3. COLLECTION OF FUNDS**

*All committees involved in fund-raising or events handling money should designate volunteers to manage the monies and must follow these procedures. Note that for most events or fundraisers where money is sent in advance or through the classrooms, cash payments should be discouraged as we have no way to safeguard cash moving through the school or in the office.*

#### **A. CASH EVENT**

1. Cash Box information must be given to the Treasurer at least one week before an event. Be sure to have calculators and pens/pencils at each event for calculating totals.
2. At the event, the Treasurer will give you the cash boxes requested.
3. *Never leave the money alone.* Always have two adults with the money.
4. At the end of the event, the **money must be processed as follows:**
  - a. All funds received in cash *must be counted by two people*, preferably with one of the two being a PTO Committee Chair or Officer.
  - b. Please separate currency by denomination (with a paperclip), and fill in amounts on the *“Deposit Voucher”* form.
  - c. Please log number of checks and total value on the *“Deposit Voucher”* form. If a tape calculator is available, please provide a tape of all checks with their total.
  - d. The *“Deposit Voucher”* form signed by counters, and the money, must be given to the Treasurer or deposited into the school safe within 24 hours.

*Blank copies of the “Deposit Voucher” are available in the PTO box in the main office.*

#### **B. FOR EVENTS/ACTIVITIES WITH CHECKS ONLY**

1. If available, please have printing calculator to total checks and print a tape.
2. For fundraisers or classes, a spreadsheet showing a class roster or details of the fundraiser should be submitted as backup for the deposit. The Treasurer’s files must include sufficient information to support the revenue for the year end audit.
3. Deposits must be given to the Treasurer **within one week** of receiving checks. The exception to this is for classes or events that require a minimum number of persons. Please wait until the minimum number has been received and we know that the event/class will be held.
4. It is important to get checks to the Treasurer quickly so that if any checks are declined for insufficient funds, we have enough time to recover funds before distribution of merchandise or before a class or event has been held.

### **SECTION 4. BUDGETARY PROBLEMS**

1. If you have budgetary problems, let the Treasurer know as soon as possible.
2. If a revision or budget increase is warranted, it needs to be approved by the Board or the general membership (depending on the amount). Such changes should be approved prior to any money being spent.

### **SECTION 5. CONTRACTS**

1. The PTO should only enter into *written* (not verbal) contracts.
2. Contracts are valid only when signed by the President.
3. Any other person signing a contract can be held personally liable for the full amount.
4. For significant purchases, at least three price quotes/bids should be obtained to help ensure that the PTO is receiving the best value.
5. Any potential contracts with persons or companies related to a PTO officer or committee chair must receive special review to ensure that no conflict of interest exists. After exercising due diligence, the PTO officers shall determine whether the PTO could obtain a

## Courtade Elementary School PTO

more advantageous transaction or arrangement with reasonable efforts from a person or entity that would not give rise to a conflict of interest.

6. Independent contractors earning above \$600 must supply a street address and social security number for IRS purposes; use Form W-9, available at [www.irs.gov](http://www.irs.gov).

### **SECTION 6. SOLICITING AND RECEIVING DONATIONS**

Certain committees may have a need to solicit donations in the community, in the form of cash or in-kind contributions. As a Federally tax-exempt 501(c)(3) organization, the PTO has certain responsibilities to donors.

1. Donation requests should be submitted to potential donors on letterhead.
2. Any donor who requests documentation of the PTO's tax-exempt status should be provided with our IRS tax exempt "determination letter." A copy of this letter is available in the PTO mailbox or on the website.
3. Report any donations received to the PTO Board in a prompt manner.
4. Committees who solicit donations are also responsible for producing thank you notes to donors. Depending on the type of donation, certain wording to satisfy IRS requirements may be necessary; check with the Treasurer. Copies of thank you notes can be submitted to the Treasurer to satisfy the reporting requirement noted above.