

Darby Creek PTO

Bylaws

Article I: Name

Section 1: The name of this organization shall be the Darby Creek Elementary School Parent-Teacher Organization, or Darby Creek PTO.

Article II: Purpose

Section 1: The Darby Creek PTO is organized exclusively for charitable and/or 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 the corresponding section of any future tax code.

Section 2: In keeping with this purpose, the Darby Creek PTO shall provide the structure and organization to:

- A. Promote the education and welfare of each student at home, in school and in the community.
- B. Bring into closer relationship the home and school so that parents and teachers may cooperate in the education of the student. This may be done, in part, by sponsoring open houses and other parent-teacher events.
- C. Provide a volunteer base to assist teachers with the education of students.
- D. To enhance the educational facilities and opportunities for the students of Darby Creek Elementary School that are not otherwise provided for in the school budgets.
- E. To raise funds as required to provide for all of the above objectives.

Article III: Membership

Section 1: Membership in the Darby Creek PTO is open to all parents and legal guardians of children attending Darby Creek Elementary School, the principal of Darby Creek Elementary School and the staff of Darby Creek Elementary School. Membership is offered without regard to race, religion, color, creed, sex, sexual orientation, age or national origin.

Section 2: No dues are required for membership, and none will be collected.

Section 3: Only members of the Darby Creek PTO shall be permitted to serve in any of the elective or appointive positions.

Section 4: Only members of the Darby Creek PTO shall have the privilege of introducing motions, debating and voting at meetings of the PTO.

Article IV: Policies

Section 1: The Darby Creek PTO exists as a nonprofit, nonsectarian and nonpartisan organization. These bylaws shall be deemed the governing articles of the organization.

Section 2: No part of the net earnings of the Darby Creek PTO shall inure to the benefit of or be distributable to its members, trustees, officers or other private persons, except that the PTO shall pay reasonable compensation for services rendered and make payments and distributions in furtherance of the purposes set forth in Article 2 hereof.

Section 3: No part of the activities of the Darby Creek PTO shall be used in an attempt to influence legislation, and the PTO shall not participate in or intervene in any political campaign on behalf of or opposition to any candidate for public office (including the publishing or distributing of statements).

Section 4: Notwithstanding any other provisions of these Articles, the Darby Creek PTO shall not carry on any other activities not permitted to be carried on by an organization exempt from federal income tax under section 501(c)(3) of the Internal Revenue Code or the corresponding section of any future federal tax code, or by an organization to whom contributions are deductible under section 170(c)(2) of the Internal Revenue Code or the corresponding section of any future federal tax code.

Section 5: The Darby Creek PTO shall cooperate with Darby Creek Elementary School to support improvement of education in ways that will not interfere with the administration of the school and shall not seek to control the policies of the school.

Section 6: Upon dissolution of the Darby Creek PTO, after paying or adequately providing for the debts and obligations of this PTO, the remaining assets shall be deposited into the Darby Creek building fund. Should Darby Creek Elementary School no longer exist, the remaining assets shall be distributed to one or more non-profit funds, foundations or organizations within the meaning of section 501(c)(3) of the Internal Revenue Code or the corresponding section of any future federal tax code. Such distribution shall be made in accordance with all applicable provisions of the laws of the state of Ohio.

Section 7: Monies derived from Darby Creek PTO functions and other sources shall be deposited in the treasury and recommendations for expenditures over \$500, not already listed on the approved line item budget, will be voted on at a general membership meeting. All other expenditures that are in line with the purpose of the Darby Creek PTO may be approved by the majority of the executive committee.

Article V: Officers

Section 1: The elected officers of the Darby Creek PTO shall be:

- A. President
- B. Vice President
- C. Secretary
- D. Treasurer

Section 2: Darby Creek PTO committees shall be determined by the executive committee and chairpersons shall be appointed by the president.

Section 3: The executive committee shall be composed of the elected officers, and the school principal. A teacher representative may be present should one be designated.

Section 4: The term of office for president, vice president, secretary and treasurer shall be for two years or one term. After the first year of office, the officer can choose to terminate their position. Current officers can hold consecutive terms of office provided they are nominated and elected again at the end of each term.

Section 5: The offices of president and secretary shall be elected in odd years and the offices of vice president and treasurer shall be elected in even years.

Section 6: Removal from office may occur by a majority motion from the executive committee and a majority vote at the general membership meeting. A motion may be brought for missing more than two consecutive general membership meetings, failure to perform assigned duties, corruption, or any act that brings dishonor to the organization or negates the objectives of the organization. Motions may only be brought after the executive committee has met in an effort to discuss the problem and all attempts have been made to resolve the problem. No officer has the right to change any decision that is made at the general meetings. If an officer intentionally does not follow through with a decision of the organization, it will result in removal from office.

Article VI: Duties

Section 1: The president shall preside at all meetings, see that all rules are enforced, appoint committee chairpersons and Hilliard Inter-school Council of Parent-Teacher Organizations (ISPTO) delegates, and be an ex-officio member of all committees except the nominating committee.

Section 2: The vice president shall preside in the absence of the president. The vice president shall make sure that the Darby Creek PTO Bylaws are followed.

Section 3: The secretary shall keep accurate attendance and records of all meetings and attend to all correspondence. Copies of the current school year minutes will be available at each meeting. The secretary must have a current copy of the bylaws at each meeting.

Section 4: The treasurer shall have custody of all monies of the organization, pay authorized bills and furnish a treasurer's report at each meeting. The treasurer shall keep a full and accurate account of all receipts and expenditures. The treasurer shall submit all necessary PTO tax forms to the IRS annually.

Section 5: The president, the school principal and the delegates to the Hilliard Inter-School council of Parent and Teacher Organizations shall represent the Darby Creek PTO in all matters relating to Inter-School Council business. The delegates shall report

regularly to the membership concerning matters coming before the Inter-School Council. The delegates shall officially represent the views of the Darby Creek PTO when called upon to do so.

Section 6: The ledger book shall be audited annually.

Section 7: Elected officers and members of the executive committee shall serve without compensation except for reimbursement of authorized expenses.

Section 8: Each elected member of the executive committee shall keep written records and pass them to his/her successor within thirty days after the term of office.

Article VII: Meetings

Section 1: The executive committee shall meet prior to the start of the school year at a time, date and place determined by the president. The executive committee shall compose a calendar of events and meeting dates and a budget at this meeting. This meeting shall be open; however, only executive committee members shall be eligible to vote.

Section 2: General membership meetings shall be held once a month during the months school is in session at a time, date and place determined by the executive committee. The executive committee reserves the right to cancel or change the date of a general membership meeting provided there is at least two weeks notification given.

Section 3: A quorum for the general membership meetings shall consist of those members present. Every act or decision done or made by a majority of the members present at a scheduled meeting is considered an act of the Darby Creek PTO unless these bylaws or provisions of law require a larger percentage for approval.

Section 4: Special general membership meetings may be called by the president upon a three day notification of each member of the executive committee.

Article VIII: Elections

Section 1: Nomination of officers shall be made by a nominating committee of three members appointed by the president at the February general membership meeting. In the event no one accepts this role, the executive committee excluding the president will be designated as the nominating committee.

Section 2: The slate of candidates shall be presented by the nominating committee at the April general membership meeting. Additional nominations may be made from the floor. Candidacy shall be limited to those members who consent to serve if elected.

Section 3: The slate of nominees shall be voted on by the staff and the parents/guardians of the students in attendance at Darby Creek Elementary. The election ballots will be sent home two weeks prior to the May general membership meeting and will need to be

returned, in person, to the school by the Friday prior to the May general membership meeting. Those who choose not to return their ballots may vote at the May general membership meeting. Members may cast only one vote and a signature will be required.

Section 4: The elected officers shall be installed at the May general membership meeting.

Section 5: The elected officers shall assume their duties on July 1 of the calendar year in which they were elected.

Section 6: Any elected office that becomes vacant shall be filled by presidential appointment with majority approval at the next general membership meeting. In the event of a vacancy in the office of president, the vice president shall assume the office of president and a new vice president shall be appointed.

Article IX: Non-liability of Officers

Section 1: The elected officers and members of the executive committee shall not be personally liable for the debts, liabilities or other obligations of the Darby Creek PTO.

Section 2: The elected officers and members of the executive committee shall be indemnified by the Darby Creek PTO to the full extent permissible under the laws of the State of Ohio.

Article X: Parliamentary Authority

Section 1: The rules contained in the current edition of 21st Century Robert's Rules of Order shall govern the Darby Creek PTO in all instances when they are applicable and not inconsistent with these bylaws or any other special rules the organization may adopt.

Article XI: Changes or Amendments of Bylaws

Section 1: Changes in the bylaws must be approved by a majority of the executive committee prior to presentation at a general membership meeting.

Section 2: These bylaws may be amended at a general membership meeting of the Darby Creek PTO by a two-thirds (2/3) vote of the members present.

Section 3: Should any of the provisions or portions of these bylaws be held unenforceable or invalid for any reason, the remaining provisions and portions of these bylaws shall be unaffected by such holding.

Article XII: Fiscal Year

Section 1: The fiscal year of the Darby Creek PTO shall be from July 1 through June 30.

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