

**CONSTITUTION AND BYLAWS OF
RISING STARR MIDDLE SCHOOL PTO INC.**
(Approved on April 16, 2019)

Article I – Name

The name of this Organization shall be Rising Starr Middle School Parent-Teacher Organization Inc. of Fayette County, referred to as "PTO" or "Organization."

Article II - Nature of the Organization

The Organization is non-profit organization, organized under the laws of the State of Georgia.

Article III – Objectives

The Organization's objectives shall be the following:

1. To promote the welfare of children and youth in the home, school, and community;
2. To bring into closer relation the home and the school so that parents and teachers may cooperate in the academic training of the child; and
3. To develop between educators and the general public such united efforts as will secure for every child the highest advantages in his/her physical, mental, and social education.

Article IV - Basic Policies

Section 1: The objectives of this Organization shall promote an educational support program directed toward parents, teachers, students, and the general public. This program developed through conferences, committees, and projects and shall be governed and qualified by the basic policies set forth in this article.

Section 2: This Organization shall seek neither to direct the administrative activities of the school nor to control its policies.

Section 3: This Organization may only cooperate with other organizations and agencies active in child welfare, such as conference groups or coordinating councils that may bind its representative, he/she represents with the official consent of the PTO Executive Board.

Section 4: The purposes for which the Rising Starr Middle School PTO Inc. is organized are exclusively charitable, scientific, literary, and educational within the meaning of Section 501(c)(3) of the Internal Revenue Code of 1986 or the corresponding provisions of any future United States Internal Revenue law.

Notwithstanding any other provisions of these articles, this Organization shall not participate in any activities prohibited by an organization exempt from Federal income tax under Section 501(c)(3) of the Internal Revenue Code of 1986 or the corresponding provision of any future United States Internal Revenue law.

In the event of dissolution, the residual assets of the Organization will be turned over to one or more organizations which themselves are exempt as described in sections 501(c)(3) and 170(c)(2) of the Internal Revenue Code of 1986 or corresponding section of any prior or future Internal Revenue Code, or to the Federal, State, or local government for exclusive public purpose.

Section 5: A record of updated job descriptions and current standard operating procedures shall be maintained at all times.

Article V – Membership

Section 1: All faculty members and any parent or legal guardian of a currently enrolled student of Rising Starr Middle School who are willing to uphold the basic policies and objectives of the PTO will be considered a member. There are no dues required for membership.

Section 2: Voluntary donations from Rising Starr Middle School families will be used to underwrite programs and services provided by the PTO.

Article VI - Officers and Election of Officers

Section 1: 1. The officers of this organization, also known as the “PTO Executive Board”, shall include a President (or co-Presidents), Vice President, Secretary, and Treasurer. Officers shall be elected annually for a term of one (1) year, with a maximum of two (2) terms per office. In the event that no person offers to fill an officer position after the original officer has already served two (2) years on the Executive Board, after a unanimous vote, may vote to extend a term of office one (1) more year for an officer. The outgoing President (or Co-Presidents), or alternate as approved by the Executive Board, shall be retained to serve as an advisor to the incoming Executive Board.

2. The "PTO Board" shall consist of the Executive Board and the Chairpersons of the Standing Committees as described in Article XI, Section 1.

Section 2: The principal of Rising Starr Middle School shall serve as a non-voting member of the PTO Board.

Section 3: Nominations will be made by a Nominating Committee of three (3) members one of whom shall be the Vice President and two of whom shall be appointed by the Executive Board at least one (1) month prior to the election. The Vice President shall serve as Nominating Committee Chairman. The slate of officers shall be posted two (2) weeks prior to the last PTO General Meeting of the school year.

Section 4: The Nominating Committee shall recommend a slate of officers at the last PTO general meeting of the school year; at which time the election of officers shall be conducted. Newly elected officers shall assume their duties at the end of the school year in which they were elected.

Section 5: Only those who have signified their consent to serve shall be nominated for or elected to such office or position.

Section 6: Election shall be by secret ballot when there is more than one (1) nominee for an office. The Principal shall appoint two (2) parent members not on the ballot, and one (1) faculty member to assist in counting the votes. A candidate must receive a simple majority of the votes to be elected to office. In the case of a tie, a second election will be conducted within ten (10) days.

Section 7: Should a board position vacancy occur due to a resignation, the remaining members of the PTO Executive Board will notify the membership of the vacancy immediately through email, school website &/or office posting. Members interested in being considered for that position should contact the designated board member by the deadline stated in the notification (no less than 7 days) in order to be considered for that position. If names are submitted, the names of those candidates will be presented to the membership at the next general meeting, and a vote should take place. If no names are submitted, the remaining members of the PTO Executive Board should proceed with appointing a replacement.

Article VII - Duties of Officers

Section 1: The **President (or Co-Presidents)** shall assume the following duties

1. Preside at all meetings of the Organization, PTO Executive Board, and PTO Board;
2. The President (or Co-Presidents) should be a member(s) ex-officio of all committees, except the Nominating Committee;
3. Appoint special committees;
4. Act as a contact for the Fayette County School Board;
5. Perform all other duties usually pertaining to the office; and
6. Maintain a record of standard operating procedures.

Section 2: The **Vice President** shall assume the following duties:

1. Act as an aide to the President;
2. Perform the duties of the President in his/her absence; and
3. Act as a Chairperson for the Bylaws Review Committee and the Nominating Committee.

Note: If **Co-Presidents** are elected, responsibilities of Sections 1 and 2 will be combined and duties split among the Co-Presidents as they deem fit.

Section 3: The **Secretary** shall assume the following duties:

1. Record the minutes of all general and business meetings of the Organization and forward copies to the principal and each officer. After electronic approval by the board, minutes will be retained in the school office and made available in a timely manner on the school website.
2. The secretary shall assist the President (or Co-Presidents) with maintaining a record of standard operating procedures.

Section 4: The **Treasurer** shall assume the following duties:

1. Receive all monies of the Organization in a timely manner;
2. Keep an accurate record of the receipts and expenditures for the fiscal year July 1 to June 30;
3. Pay out funds in such manner as authorized by the Organization;
4. Present a statement of account at every meeting of the Organization, and at other times as requested by the PTO Executive Board;
5. Make a year-end report at the last PTO General Meeting of the school year;
6. Propose the budget for the upcoming school year with a committee that shall include the PTO Executive Board and four (4) members of the general membership. The proposed budget will be presented to the general members at the last PTO General Meeting of the year and approved by the PTO Board;
7. Submit yearly tax returns in a timely manner and maintain corporate compliance; and
8. Obtain the signatures of the President, Vice-President (or Co-Presidents), and Treasurer on the bank signature cards for all PTO accounts.
9. Upon completion of the fiscal year, the duty of the Treasurer is to submit all records to the Tax Preparer, or prepare and submit two (2) returns on behalf of the PTO based on current IRS Guidelines/Limits.

Article VIII - Expenditures, Auditing and Tax Returns

Section 1: Expenditures:

1. The PTO Board shall have the power to approve all expenditures; and
2. Checks over \$3,000 shall require two signatures; the Treasurer's, and one other officer's signature as designated on the bank signature card. Checks written for \$3,000 or less require only the signature of the Treasurer.

Section 2: Auditing:

1. The Treasurer's accounts shall be examined annually by an auditing committee of up to three (3) members, who upon satisfaction that the Treasurer's annual report is correct, shall sign a statement of that fact as the end of the report, and
2. The auditing committee shall be appointed by the Executive Board at least two (2) weeks before the last PTO General Meeting of the school year. (An audit of the Treasurer's accounts is for the protection of the Treasurer. It is only a means of assuring everyone that the accounts are accurate, and it relieves the Treasurer of responsibility except in the case of fraud.)
3. An audit by the committee shall be completed after the fiscal year end, and prior to the annual tax returns are prepared.
4. Annual tax returns shall be prepared and filed by a Professional Tax Preparer by November 15th of each year or an extension should be filed.

Article IX - Duties of the Executive Board

Section 1: The **Executive Board** shall assume the following duties:

1. Transact necessary business between meetings of the Organization;
2. Perform the duties prescribed in the Parliamentary Authority as described in Article XII;
3. Approve the plans of work of standing committees;
4. Create or dissolve standing or special committees;
5. Appoint members to fill vacancies;
6. Attend and present a report at regular meetings of the Organization;
7. Select an auditor or an auditing committee to audit the Treasurer's accounts;
8. Ensure a committee proposes a budget as outlined in Article VII, Section 4(7); and
9. Deliver to their successors all official materials no later than ten (10) days following the end of the school year.

Article X - PTO Meetings

Section 1: PTO Board Meetings shall be held regularly during the school year.

Section 2: The General Meetings of this Organization shall be conducted at least three (3) times in a school year or as designated by the Executive Board. Change of the meeting date may be recommended by the Executive Board or the Organization with at least one (1) week advance notice given to the membership.

Section 3: Special meetings may be called by the PTO Executive Board with at least five (5) days notice given to the membership.

Section 4: The last PTO General Meeting of the school year shall be the meeting for annual reports and the election of new officers.

Section 5: The privilege of holding office, making motions, and voting shall be limited to members of the Organization.

Section 6: A vote on any motion made by a PTO member shall be approved by a simple majority vote.

Section 7: Business may be conducted electronically (i.e. e-mail) if the PTO Executive Board deems it to be in the best interest of Rising Starr Middle School. All business conducted electronically must be acknowledged by a majority of the PTO Board members in a timely manner. The electronic business will be reviewed under "Old Business" at the next scheduled meeting.

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

Article XI - Standing Committees

Section 1: The PTO Executive Board should fill all committee chair positions. The standing committees are formed by the PTO Executive Board and reviewed annually to ensure the continuous need of the committee for the next school year. Suggested standing committees include but are not limited to: Box Tops, Corporate Fundraising, Hospitality, Special Projects, Spirit Wear, 8th Grade Dance and Picnic, and Watch Dogs.

Section 2: The Chairperson of each standing committee shall be appointed by the PTO Executive Board and 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.

Section 3: Committee chairpersons shall attend all PTO meetings and present a report on behalf of his/her committee as needed. Failure of the committee chairperson or his/her representative to attend two (2) scheduled PTO meetings may result in forfeiture of his/her chairmanship. Extenuating circumstances surrounding absenteeism may be reviewed by the PTO Executive Board.

Section 4: No contracts will be signed without PTO Executive Board approval.

Section 5: Any standing committee assigned a budget shall not exceed said budget without prior PTO Executive Board approval.

Section 6: Each Chairperson shall submit proposed budget requirements for the following school year prior to April 1st of the current school year. The proposal is subject to discussion and approval of a full budget.

Section 7: Chairpersons of standing committees shall serve a term of one (1) year with a maximum of two (2) terms. Extenuating circumstances may be reviewed by the PTO Executive Board.

Article XII – Bylaws

Section 1: A copy of these Bylaws shall be available upon request in the school office to any member of the PTO and will be available on the school PTO website.

Section 2: The Bylaws Review Committee will meet prior to March 1 of each year, will be chaired by the Vice President and will revise the Constitution and Bylaws if revisions are found to be necessary prior to the upcoming school year. The committee will include a faculty member, PTO board member, and a minimum of two (2) parent members.

Section 3: Prior notice of any proposed amendments to the Bylaws must be given to the general membership by posting such proposed amendments at the school at least two (2) weeks before the final vote.

Section 4: These Bylaws may be amended by a two-thirds majority vote at a PTO General Meeting.

Article XIII - Parliamentary Authority

Roberts Rules of Order, Revised, shall govern this Organization in all cases in which the rules are applicable and exceptions have not been provided for herein.

STANDING RULE Suggested Order of Business

1. Call to Order
2. Minutes
3. Statement of Treasurer
4. Report of Officers
5. Principal's Report
6. Reports of Standing Committees
7. Reports of Special Committees
8. Old Business (Unfinished)
9. New Business
10. Programs
11. Announcements
12. Adjournment