

Bylaws of Shafter Elementary Parent Teacher Organization

Article 1 - Name, Description & Purpose

Section 1: Name - The name of the organization shall be Shafter Elementary Parent Teacher Organization (PTO). The organization is located at 2 Fort Shafter, Honolulu, HI 96819.

Section 2: Description - The PTO is a non-profit corporation that exists exclusively for charitable, scientific, literary or educational purposes within the meaning of Section 501(c)(3) of the Internal Revenue Service Code or corresponding section of any future federal tax code (hereinafter "Internal Revenue Code").

Section 3: Purpose

- A. The purpose of this PTO is to enhance and support the educational experience in and out of the classroom at Shafter Elementary School primarily through volunteer and financial support, fostering a spirit of cooperation, coordinating educational enrichment opportunities, and promoting open communication between families and staff of the school. The PTO's mission is to work with parents, teachers, administration, and community members in order to increase family engagement and develop a closer connection between school and home, thereby making a positive impact on the education and social development of the students at Shafter Elementary School.
 - a. Shafter Elementary PTO is a corporation that is a separate entity from Shafter Elementary School and operates only to support the parents, students and teachers within the school.
- B. The PTO shall not participate in nor fund propaganda, nor otherwise attempt to influence legislation. The PTO shall not participate in, nor intervene in (including the publishing or distribution of statements) any political campaign on behalf of or in opposition to any candidate for public office. At PTO meetings, issues directly related to the educational experience of the children of Shafter Elementary School and/or the Moanalua Complex School District may be discussed, however, the PTO shall not take any official position nor encourage any specific action on the part of its members.
- C. No part of the net earnings of the corporation shall inure to the benefit of or be distributed to any director, employee or other individual, partnership, estate, trust or corporation having a personal or private interest in the corporation. Certain individuals such as teachers, specialists, independent service providers, or corporations such as fundraising businesses may receive compensation for work performed to the extent that it fulfills the mission of the PTO, to enhance and support the educational experience in and out of the classroom, and as approved by the Executive Board. Compensation for services actually rendered and reimbursement for expenses actually incurred in attending to the affairs of this corporation shall be limited to reasonable amounts.

- D. The organization shall not carry on any other activities not permitted by the Internal Revenue Code.

Article 2 - Membership

Section 1: Membership shall be automatically granted to all parents, guardians, or other adult standing in loco parentis of Shafter Elementary School students, plus all staff at Shafter Elementary School. All members have voting privileges.

Section 2: Dues, if any, will be established by the Executive Board. If dues are charged, a member must have paid their dues before the meeting to be considered a member in good standing for voting purposes at that meeting.

Article 3 - Officers

Section 1: Executive Board - The Executive board shall consist of the following elected officers: President, Vice President, Secretary and Treasurer. In the event that there is no elected Vice President in any given year, then a minimum Executive Board to conduct corporation business shall consist of the President, Secretary, and Treasurer. Co-Presidents and a split Vice Presidency are allowed with permission of the Executive Board and the school's Principal. Extended members of the Executive Board can include the Principal and/or Vice Principal, Faculty Representatives, School Community Council (SCC) Parent Representative, and the Parent Community Network Coordinator (PCNC).

Section 2: Term of Office - The term of office for all officers is one year, beginning with the new school year and ending the last meeting of the school year. Officers may serve no more than two (2) consecutive terms in the same office. Each person elected shall hold only one office at a time. If an officer must vacate his/her position sooner than the end of the school year, written notice will be given to the President as soon as the vacancy date is known. In the case of the President vacating, written notice will be given to the Executive Board as soon as the vacancy date is known.

In the event that an officer position cannot be filled and the current officer needs an extension, officers may serve for additional years if elected by majority vote. A non-elected officer may choose to serve with the Executive Board for longer than a one year term if he/she so wishes to do so.

Section 3: Compensation and Gifts - The Executive Board and other committee members will serve on a volunteer basis only. Compensation will not be given on a regular basis and PTO Board members will not be given revenue based payments or discretionary bonuses. Occasionally volunteers may receive compensation in the form of a gift or celebratory luncheon. This compensation is not based on any particular hours served or revenues earned but on merit alone. Compensation for services actually rendered and reimbursement for expenses actually

incurred in attending to the affairs of this corporation shall be limited to reasonable amounts and shall not be excessive.

Section 4: Eligibility - Members are eligible for office if they are members in good standing with the organization and intend to commit one school year's time in the selected position.

Section 5: Nominations and Elections - Elections will generally be held in the fourth quarter of the school year, except when an officer must vacate his or her position prior to the end of the school year. The nominating committee shall post open positions to the membership so that interested candidates may make themselves known. Selection of a candidate for the office is presented at the next general membership meeting to be voted on. At that meeting, nominations may also be made from the floor. Voting shall be by voice, ballot that the meeting or electronically prior to the selection meeting.

Section 6: Duties -

A. Executive Board –

- a. Conduct annual review of the PTO bylaws to determine the need for revisions and amendments.
- b. Create standing rules and policies as needed.
- c. Develop and execute the PTO's annual budget as approved by the general membership.
- d. Establish and oversee committees to conduct the work of the PTO.
- e. Establish fundraising programs and opportunities. Approve routine bills and approve by a majority vote of the board unbudgeted expenses.
- f. Transact business between meetings in preparation for the general membership meeting.
- g. Prepare reports and recommendations to the membership as needed.
- h.

B. President -

- a. Preside over meetings of the organization and Executive Board.
- b. Serve as the official representative of the PTO, represent the PTO at meetings outside the organization.
- c. Retain all records of the PTO, have co-custody with the Treasurer of all PTO funds.
- d. Serve as an ex officio member of all committees (except the nominating committee).
- e. Oversee all PTO activities and events.
- f. Direct and support the work of the officers and committees within the PTO.
- g. Serve as the primary contact for the school's principal, align all initiatives with the schools administration, submit communication to the school community on behalf of the PTO, maintain the PTO website, and ensure that the PTO operates in the spirit of goodwill and beyond reproach.
- h. Adhere to a strict ethical code.

C. Vice President -

- a. Assist the President and carry out the President's duties in his/her absence or inability to serve.
- b. In the President's absence shall serve as the official representative of the PTO.
- c. Coordinate and maintain at least bi-monthly changes on the PTO bulletin board, and perform other delegated duties as assigned.
- d. Initiate Nomination Committee.
- e. Adhere to a strict ethical code.

D. Treasurer -

- a. Due to the intense nature of this position additional duties shall not be assigned unless absolutely necessary.
 - i. Serve as co-custodian of the PTO's finances, collect revenue, pay authorized expenses, and record all incoming and outgoing transactions.
 - ii. Present a financial statement at every general membership meeting, provide financial reports as requested by the Executive Board.
 - iii. Prepare year-end financial report, facilitate an annual audit, and hold all financial records.
 - iv. Ensure all monies of the PTO are deposited in a timely manner into the account.
 - v. Complete required reports to the Internal Revenue Service, coordinate with Secretary to send out donation receipts and letters, and ensure annual filings are submitted.
 - vi. Retention of PTO financial records shall be for seven years or according to the Permanent Document Retention Plan.
 - vii. Propose a yearly budget (income versus expenses) for the upcoming school year to the Executive Board.
 - viii. Adhere to a strict ethical code.

E. Secretary -

- a. Maintain a current copy of the PTO bylaws and initiate review annually.
- b. Record and retain the minutes of all Executive Board meetings and all general membership PTO meetings including attendance.
- c. Distribute general membership meeting minutes by electronic means and through the PTO website.
- d. Manage and maintain historical records for the PTO past and present.
- e. Retention of PTO records shall be for seven years or in accordance with the Permanent Document Retention Plan.
- f. Coordinate with Treasurer to send out donation receipts and letters and ensure annual filings are submitted.
- g. Adhere to a strict ethical code.

Section 7: Board Meetings - The Executive Board shall meet monthly during the school year, or at the discretion of the President.

Section 8: Vacancy - If there is a vacancy in the office of President, the Vice President will act as the President until the position is voted on at the next general membership meeting. If there is a vacancy in the office of the Treasurer, the President will do the immediate duties of the Treasurer until the office can be filled at the next general membership meeting. If there is a vacancy in any other office, the President shall appoint a PTO member to fill the vacancy for the remainder of the officer's term.

Section 9: Removal - An officer can be removed from office for failure to fulfill his/her duties, after reasonable notice, by a majority vote of the Executive Board.

Article 4 - Meetings

Section 1: General Membership PTO Meetings - The routine meeting of the PTO shall be held to conduct the business of the organization. Meetings will be held quarterly at a minimum but can be organized more frequently at the discretion of the Executive Board and school leadership. The Annual Meeting is for publishing financial reports, electing officers, and conducting other business that should arise in preparation for the following school year. This meeting date is determined by the Executive Board in conjunction with school leadership, may coincide with a general membership meeting, and will be communicated to the general membership.

Section 2: Special Meetings - Special meetings may be called by any Executive Board member or by written request of at least three general members to the Secretary. Prior notice of the special meeting shall be sent to the members at least 10 days prior to the meeting, whenever possible.

Section 3: Voting - Each member in attendance at a PTO meeting is eligible to vote. A majority vote of the voting members present at any meeting shall be required for any and all action to be taken by the PTO.

Section 4: Quorum - A quorum shall be made up of six (6) members of the organization or 2/3 of the members present at a meeting.

Section 5: Notification of Meetings - The Correspondence Coordinator will notify the general membership and any Fort Shafter contacts at least six (6) days prior to any meeting. The President will post the date and time of the meeting on the PTO website as soon as the last meeting has passed or when the date is determined, whichever comes last. The Vice President will post a reminder on the PTO Facebook page no less than two days prior to the meeting.

Section 6: Meeting Minutes - The Secretary will record the minutes of all general membership, Executive Board and special meetings. S/he will complete an electronic copy of the minutes

and send it to a delegated member of the Executive Board for oversight. The minutes will then be published as public record within ten (10) days of the meeting date. If the timeline for publication is changed, written notice shall be given.

Article 5 - Supplementary Committees

The following supplementary committee components can be held by the organization: Assistant Committee, Fundraising, Enrichment/Family Events, and Nominations. Committees may consist of officers and general membership members, with the President acting as an ex officio member of all committees, except the nomination committee.

- A. Assistant Committee: is not required to attend Executive Board meetings, but may be invited to provide and coordinate information as needed.
 - a. Correspondence Coordinator- Manage general PTO membership correspondence, check PTO box in the school office and distribute the contents to appropriate parties, send notification of meetings to interested parties, moderate and manage PTO Facebook group, create Facebook events as a communication touchpoint, assist with website maintenance, and perform other delegated duties as assigned.
 - b. Newsletter Editor-in-Chief - Create a PTO Newsletter monthly or at an interval determined by the Executive Board. Assist with website maintenance as needed. Moderate and manage the PTO Facebook group.
 - c. Any current Fundraising or Event Chairs
- B. Fundraising: For any fundraiser that the PTO participates in there can be a committee with a chair, or co-chairs. The chair(s) will be one or more volunteers from the general membership with an assigned Executive Board liaison. This will allow the Executive Board to receive updates from fundraising efforts without requiring more time from volunteers. Fundraising committees may include, but are not limited to the following:
 - a. Box Tops Chair- Raise awareness for and motivate the community to participate in the Box Tops program. Collect, organize and submit all Box Tops collected by the school. Acknowledge monthly the class that collects the most Box Tops with an approved award. Communicate with the Executive Board and school community the amount collected.
 - b. Ice Pops Coordinator- Ensure that ice pops are purchased and frozen in time for weekly ice pops sales. Arrange for volunteers to assist at the Ice Pops location during sale times. Coordinate advertising and reminders for sales, provide an initial count for funds received, and turn in all funds to the Treasurer in a timely fashion.
 - c. Papa John's Chair - Coordinate with the manager at Papa John's to secure fundraising dates. Pick up flyers from the Pa'a St. location, distribute fliers to classrooms, collect receipts and return them to Papa John's for payment. Ensure that a monthly check is cut and turn funds into Treasurer in a timely fashion.

- C. Enrichment/Events: For any event that the PTO participates in there can be a committee with a chair, or co-chairs. The chair(s) will be one or more volunteers from the general membership with an assigned Executive Board liaison. The Executive Board member will provide their committee with details about the event's budget and any Executive Board guidance. Event committees may include but are not limited to the following: Spring Fling, Month of the Military Child, Shafter Games, Teacher and Staff Appreciation, etc.
- D. Nominations Committee:
- a. Initiate nominations procedures for the upcoming school year in accordance with Article 7 of these bylaws.
 - b. Post open positions to membership in the month of April to allow interested parties to make themselves known.
 - c. Select a candidate(s) for each office and present the slate at least fourteen days (14) prior to the election through all channels to ensure maximum distribution. Upon receipt of the slate, general membership may nominate additional candidates.
 - d. Execute appropriate voting procedures to secure the nominations.

Article 6 - Financial Policies

Section 1: Fiscal Year - The fiscal year of the PTO begins July 1 and ends June 30 of the following year.

Section 2: Annual Budget - At the last scheduled regular PTO meeting of the year, the Treasurer shall present a proposed budget for the following year. At a minimum, the Budget shall include:

- A. Current Balance as of the date of the meeting
- B. Expected and reasonable expenditures through the remainder of the fiscal year.
- C. Reasonable estimates for fundraising activities during the first four months of the new fiscal year. If funds allow, the Treasurer may assume zero fundraising during this planning period for planning purposes.
- D. A listing of non-discretionary funds committed to the next fiscal year.
- E. A listing of recommended discretionary expenditures proposed for the next fiscal year.

The proposed budget must be in balance, meaning the Projected Balance is nonnegative. The proposed budget will take into consideration the maintenance of tax-exempt status as outlined below (section 4). The PTO may discuss the proposed budget as needed. Changes to the proposed budget may be made as determined by the discussion. The President shall not allow a vote on a proposed budget that is not in balance. Approval of the budget is my majority vote. The PTO must vote to approve a Budget at this meeting. The incoming President and

Treasurer will review the budget in the fall and draft tentative changes as needed. Any changes will be reviewed by the Executive Board before moving to pass to general membership for vote.

Section 3: Fundraising - Fundraisers shall be held annually. Fundraising efforts shall include one commission-type fundraiser (like Original Artworks) and one pledge-type event (like a walk-a-thon). Fundraising planning shall take into consideration the tax-exempt status policy below (section 4). Other fundraising events can be added, as needed, at the discretion of the Executive Board as long as it maintains and/or takes into consideration the tax-exempt status income limit. Funds received will be donated or spent as needed for charitable, scientific, literary or educational purposes benefitting Shafter Elementary School.

Section 4: Tax-Exempt Status - In order to maintain our 501 c (3) tax-exempt status with the IRS and maintain current IRS reporting procedures all gross receipts shall be limited to a maximum of \$50,000 annually. If gross receipts exceed the \$50,000 threshold reporting procedures must be adjusted accordingly.

Section 5: PTO Events - PTO sponsored events will be funded by the PTO and/or public donations. Events and activities that are not deemed "fundraisers" will charge a minimal fee to cover expenses or no fee at all and will not incur a profit.

Section 6: Banking - All funds shall be kept in a checking account in the name of Shafter Elementary PTO, held at a local financial institution. Authorized signers of checks and charges of the debit card are generally the President and the Treasurer. With the consensus of the Executive Board, other Executive Board members may be added as authorized signers of the bank account when necessary. Any of these individuals, and only these individuals, are authorized to withdraw funds, write checks, drafts, or other expenditures for the payment of money on behalf of the organization. Executive Board members shall approve all expenses of the organization in excess of \$50. General membership shall vote to approve all external Funds Requests.

Section 7: Reimbursements - Individuals will be reimbursed for expenses incurred on behalf of the PTO which have prior board approval. Receipts are required for any reimbursement \$10.00 and over. An authorized disbursement to any of the authorized signatories on the account requires the consent and action of another signatory. For example, a request for reimbursement submitted by the Treasurer will require approval by the President and the President must sign the check.

Section 8: Reporting - Federal law requires our non-profit tax-exempt organization's IRS Form 1023 and copies of the organization's annual information returns (IRS Form 990 or 990EZ) for the most recent three years be available for public review when requested. All financial activity shall be recorded in a manual or computer-based accounting system. The Treasurer shall reconcile the account(s) monthly and report all financial activity monthly. Financial reports should include:

- (1) an updated budget worksheet

- (2) a statement of receipts and disbursements
- (3) a bank reconciliation with current checking balance
- (4) a copy of bank statements

The PTO shall arrange an independent review of its financial records within fourteen days of the close of the fiscal year. The organization shall keep permanent books of accounts and electronic records that sufficiently establish the items of gross income, receipts of purchase, and disbursements of the organization in accordance with the Permanent Document Retention Plan.

Section 9: Ending Balance - The corporation shall leave a minimum of \$1,000 in the Treasury at the end of each fiscal year.

Section 10: Contracts - Contract signing authority is limited to the President or the President's designee with the approval of the Executive Board.

Article 7 - Nomination and Election of Board Members

Section 1: Nominees - Nominees may volunteer or be nominated by another PTO member. All nominees must be willing to fulfill the duties of the respective position before being placed on the ballot. Nominations will take place in the month of April.

Section 2: Eligibility - Eligibility for serving as an officer on the Executive Board shall be those members who are parents or legal guardians of students who are in good standing with the organization for at least twenty-one (21) days before the nomination committee presents the slate and who intend to commit one school year in the selected position. Immediate relatives or spouses who wish to serve on the Executive Board with another family member or spouse already on the Executive Board will not be allowed to serve on the Executive Board.

Section 3: Election - Elections, if necessary, will be held during the month of May. Members will be notified of the nomination and election process through the school monthly communication method and/or special election fliers beginning in the month of April.

Section 4: Ballots and Voting - Voting shall be by voice, ballot, or electronic means on or by a date specified by the Nominations Committee prior to the last week of the school year. The Voting process must allow for individuals to volunteer or be nominated prior to ballots being printed. Ballots shall be confidential. No write in nominees will be allowed on the ballot.

Section 5: Absentee Voting - The process shall be determined by the PTO Board prior to the elections process beginning in April.

Section 6: Decision - The election shall be determined by a simple majority vote of the ballots cast.

Article 8 - Bylaws Amendments

Section 1: Bylaws Review - The Executive Board shall review the organization's bylaws annually to determine the need for revisions or amendments. Revisions and amendments to the bylaws may be proposed by any PTO member (including an Executive Board member during the annual review).

Section 2: Revisions and Amendments - Revisions or Amendments may be proposed to the general membership at any time during the school year, if deemed necessary, as long as notice is provided to the Executive Board, in writing, at least twenty-one (21) days prior to a general membership meeting. Written notice can be by postal service, email, or hard copy.

Section 3: Passing a Revision or Amendment - If a revision or an amendment is deemed necessary, the Executive Board will propose said revision(s) and/or amendment(s) to the general membership for a vote at the next scheduled general membership meeting. Revisions and/or Amendments should be distributed to the general membership no less than five (5) days prior to the general membership meeting. A majority vote of the members present at the meeting (two-thirds quorum) is required to revise or amend the organization's bylaws.

Article 9 - Dissolution

The corporation may be dissolved with previous notice (at least 14 calendar days) and a two-thirds vote of those present at the meeting. Upon dissolution of this organization the Executive Board shall pay or make provision for the payment of all the liabilities of the corporation. Any and all remaining assets of the organization shall be distributed for the promotion of education and welfare of Shafter Elementary School. After all assets are liquidated the organization's bank account will be closed.

Pending general membership approval, we the undersigned members of the Executive Board to hereby affirm and accept these bylaws.

Signed this the ____th day of August in the year 2019

Shafter Elementary PTO President _____
Shafter Elementary PTO Vice President 1 _____
Shafter Elementary PTO Vice President 2 _____
Shafter Elementary PTO Secretary _____
Shafter Elementary PTO Treasurer _____

These bylaws were passed on _____ through a vote conducted _____ with a majority in favor. They were published for at least one (1) month prior to the vote taking place. The voting was announced by email, on the website and through the Facebook page.

President's Name _____

Principal's Name _____

Adopted Date _____