

Peakview Elementary School Parent-Teacher Organization
Bylaws
Cherry Creek School District

ARTICLE I **NAME***

The name of the organization shall be the Peakview Elementary School Parent-Teacher Organization, hereafter known as the PTO.

ARTICLE II **PURPOSE***

SECTION 1: The Peakview Elementary School PTO is founded on the following principles, which shall guide it in carrying out its mission:

1. All children are valued and have a right to receive the highest level of education and to be taught to their individual learning styles and needs.
2. PTO identifies school needs and promotes opportunities for students through volunteer participation and fund raising activities.
3. PTO fosters a closer relationship between the home and the school, which allows parents and teachers to cooperate effectively in the education of children.
4. PTO provides a setting and forum for the exchange of information concerning school policies, rules and procedures.
5. The enhancement of the educational experience also benefits the teachers, parents and the community.

SECTION 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

SECTION 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.

SECTION 4: The principal office of Peakview PTO shall be at 19451 E. Progress Circle, Centennial, CO 80015. The PTO may also have offices at such other places as the Board may from time to time designate or the purposes of the PTO may require.

SECTION 5: The purpose of the PTO shall be to assist in attaining the highest level of education and welfare for the entire student body of Peakview Elementary through the cooperative efforts of the Faculty and Staff, the Cherry Creek District community and the parents.

ARTICLE III **MEMBERSHIP**

SECTION 1: General: General Membership shall consist of the parents or guardians of students, the administrators, the faculty, and the staff of Peakview Elementary School.

SECTION 2: Associate: Associate Membership shall consist of students of Peakview Elementary School and interested members of the community.

SECTION 3: Dues: No dues will be required for membership.

**Indicates articles or sections required by the Cherry Creek School District Parent-Teacher-Community Council, Inc.*

ARTICLE IV

ELECTED OFFICERS AND THEIR DUTIES

SECTION 1: Officers: The elected officers of the PTO shall consist of President, Vice-President, Secretary, and Treasurer. The elected officers shall have general supervision of the affairs of the PTO and perform other duties as specified by these Bylaws.

SECTION 2: Duties: The duties of the elected officers shall be as follows:

A. President:

1. Call and preside at all meetings of the PTO.
2. Attend all Executive Board, PTO Board and General Meetings.
3. Act as an *ex-officio* member of all committees.
4. Work with the Executive Board to appoint chairpersons of standing and special committees, the nominating committee and representatives.
5. Preside over the Grant Request Committee with the Vice President as requests are submitted by staff member
6. Prepare and distribute an agenda for all meetings of the PTO.
7. Attend CCSD Parents' Council meetings or assign a representative to attend. If it is not possible to attend, be responsible for obtaining the minutes of such meetings.
8. Sign checks in the absence of the Treasurer.
9. Appoint an examiner not on the current Executive Board to conduct the year-end financial examination of the organization's books. Submit a copy of this examination to the Treasurer of CCSD Parents' Council no later than 30 (thirty) days after completion.*
10. 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.*
11. Attend a minimum of one CCSD Parents' Council Leadership Workshop upon election.*
12. Present a written summary of the activities of the PTO at the General Meeting in May.
13. Evaluate fundraisers and PTO-sponsored events. Make recommendations to the PTO Board regarding changes for the following school year.
14. Support all PTO committees as needed. Work closely with the Volunteer Coordinator to ensure that all committee positions are filled.
15. Attend all PTO-sponsored events.
16. To the best of your ability, attend District functions where individuals from Peakview 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.

B. Vice-President:

1. Perform the duties of the President in his/her absence.
2. Attend all Executive Board, PTO Board and General Meetings.
3. Preside over the Grant Requests Committee with the President as requests are submitted by staff members.
4. Serve as Parliamentarian at all meetings.

5. Oversee certain committees as designated by the Executive Board. Contact those chairpersons before PTO Board meetings to determine the status of their committees, update PTO Board in person or by report of information from chairpersons regarding committee status and remind chairs to submit information for publication.
6. Support all PTO committees as needed.
7. Attend all PTO-sponsored events.

C. Secretary:

1. Perform the duties of the President in the absence of both the President and Vice-President.
2. Attend all Executive Board, PTO Board and General Meetings.
3. Record, transcribe, and distribute the minutes of all PTO and Executive Board Meetings.
4. Maintain and keep current a copy of the PTO Bylaws.*
5. Provide a copy of the Executive Board listing, including contact information (Name, Address, Phone, E-Mail Address of each) to the CCSD Parents' Council upon election.*
6. Keep copies of all written committee reports.
7. Conduct correspondence as directed by the PTO. This includes acknowledgement of life events: births, deaths, marriage, etc. of key school community members. This information will be provided by the Hospitality Chairperson. In some cases this would include purchasing a gift or flowers. Not to exceed the budgeted amount for this line item. All purchases must be approved by a President or Treasurer.
8. Purchase thank you gifts at the end of the year for staff members, PTO Board members, and other key volunteers.
9. Maintain all PTO files and distribute mail.
10. Oversee certain committees as designated by the Executive Board. Contact those chairpersons before PTO Board meetings to determine the status of their committees, update PTO Board in person or by report of information from chairpersons regarding committee status and remind chairs to submit information for publication.
11. Support all PTO committees as needed.
12. Attend all PTO-sponsored events.

D. Treasurer:

1. Attend all Executive Board, PTO Board and General Meetings.
2. Review and approve previous year's financial records with the President, prior to the start of the school year.
3. To maintain accurate records of all financial transactions. *
4. Receive, deposit, and disburse, in a timely manner, the funds of the PTO, as authorized by the Executive Board. Ensure deposits and reimbursements have adequate documentation and signatures as required by the Executive Board. A double-signature of the President and Treasurer will be required on all back-up documentation for disbursements greater than \$500.*
5. Receive and keep accurate records of all receipts and expenditures of PTO money and maintain funds in federally insured checking or interest bearing accounts in the name of Peakview Elementary School PTO. The Treasurer and the President shall be

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authorized signers on the checking account, as well as a designated administrative person upon approval by the Executive Board. Reconcile the PTO checkbook with bank records.

6. Be present or arrange for a substitute from the Executive Board at all fundraising activities. Aid and work closely with chairperson(s) of each fundraiser to ensure accurate record keeping.
7. Submit monthly Financial Statements to the Executive Board for ratification. Distribute approved monthly Financial Statements at the following General Meeting or when requested by any Member.
8. Submit financial records for examination by July 15 to Executive Board (review to be completed by August 15).^{*} These must be examined and approved by the out-going President.
9. To prepare the Annual Budget in conjunction with the Budget Committee for approval by the Executive Board and ratification by the General Membership.^{*}
10. Submit a copy of the Annual Budget to the Treasurer of CCSD Parents' Council upon formal approval by the PTO Membership.^{*}
11. Attend a minimum of one CCSD Parents' Council Treasurer's Workshop upon election.^{*}
12. To sign the Affiliation Letter for CCSD Parents' Council along with the President.^{*}
13. To file all annual financial statements/tax returns and schedules, regardless of income, with the Internal Revenue Service and the Colorado Secretary of State. ^{*}
14. Send copies of each filing to the Treasurer of the CCSD Parents' Council no later than 30 (thirty) days after such filing.^{*}
15. Be prepared for an audit of the PTO's financial records upon request.
16. Comply with the guidelines for Treasurers that is set forth by the Cherry Creek School District Parent's Council.
17. Register the organization as a Charitable Organization in the State of Colorado with the Secretary of State.^{*}
18. File annual reports with the Secretary of State requesting authorization to continue to operate as a Charitable Organization in the State of Colorado.^{*}
19. Oversee certain committees as designated by the Executive Board. Contact those chairpersons before PTO Board meetings to determine the status of their committees, update PTO Board in person or by report of information from chairpersons regarding committee status and remind chairs to submit information for publication.
20. Support all PTO committees as needed.
21. Attend all PTO-sponsored events.

ARTICLE V

COMMITTEE CHAIRS

The duties of the committee chairs shall be as follows:

1. Attend all General Meetings whenever possible.
2. Report on the progress of their committee, upon request, at meetings of the Executive Board and/or the General Membership.
3. Keep a record of their activities throughout the school year. These records must be kept for a minimum of 5 years.
4. Make a final written report at the end of their term that will be presented to their successor with a copy to the PTO Board.
5. Train and adequately transition responsibilities to their successor.
6. Attend to the responsibilities of their committee.

ARTICLE VI

ELECTION OF OFFICERS

SECTION 1: Nominating Committee: The Nominating Committee shall consist of the Principal, two Executive Board members, and two General members. The Chairperson of the Committee shall be elected by the members of the Nominating Committee.

SECTION 2: Nominations: The Nominating Committee shall nominate a candidate for each elected office.

1. An announcement should be published in the school newsletter listing the Executive positions and giving individuals the opportunity for self-nomination.
2. The slate of candidates for each office shall be presented at least thirty (30) days prior to voting.
3. Nominations shall be accepted from the floor at a General Meeting on the condition that the nominee consents to the nomination.
4. The slate of candidates and date and time of the election shall be announced and published by print or electronic means at least three (3) weeks prior to the election meeting.

SECTION 3: Elections: Elections shall take place in the spring of each school year. Elections 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 majority of those present and voting at a General Meeting by a written ballot.

SECTION 4: Term: The term of the office of President and Vice-President shall be a recommended two consecutive years, beginning on July 1 and ending on June 30 of the second year. The term of all other offices of the Executive Board shall be a minimum of one year, beginning on July 1 and ending on June 30. A term of two years is the desired commitment from all officers, though not mandatory. There shall be a limit of two consecutive terms for any office on the Executive Board.

SECTION 5: Vacancy: In the event a vacancy should occur among the elected officers, the President/Vice-President shall call a meeting of the Executive Board within thirty (30) days to appoint a new officer to finish the term.

SECTION 6: Removal: Any officer may be removed from office by the affirmative vote of two-thirds of the Executive Board at any regular or special meeting called for that purpose, for conduct detrimental to the interests of the PTO, for lack of sympathy with its objects, or for refusal to render reasonable assistance in carrying out its purposes. Any officer proposed to be removed shall be entitled to at least five days' notice in writing by mail of the meeting of the

Executive Board at which such removal is to be voted upon and shall be entitled to appear before and be heard by the Executive Board at such meeting.

SECTION 7: Resignation: Any Board Member may resign at any time by giving written notice of such resignation to the Executive Board.

SECTION 8: Salary: Officers shall not receive any salary for their services.

ARTICLE VII BOARD COMPOSITION

SECTION 1: Executive Board: The Executive Board shall be composed of the elected officers, a designated administrator, and the immediate past President.

SECTION 2: PTO Board: The PTO Board shall be composed of the Executive Board, the Principal, Committee Chairpersons, liaisons to the District Committees, and a faculty representative.

SECTION 3: Note: A member of the Executive Board should not also serve concurrently as a member of the Executive Board of the CCSD Parents' Council.

SECTION 4: In the event that an emergency precludes convening a General Meeting, the Executive Board is authorized to act on behalf of the PTO.

ARTICLE VIII MEETINGS

SECTION 1: Meetings: Regular meetings of the General Membership shall be held during the school year and shall be open to all members of the PTO and interested community members. The meeting dates for the entire year shall be published 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. Meetings may be held in-person or virtually (i.e. Microsoft Teams, Zoom, Google Meet).*

SECTION 2: PTO Board: Regular monthly meetings of the PTO Board shall be held during the school year and shall only be open to members of the PTO Board.

SECTION 3: Attendance: Members of the Executive 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. At all General PTO meetings, the Principal and/or Assistant Principal, or in their absence a chairperson chosen by the Principal to act as a liaison between the PTO and the faculty and staff of Peakview Elementary School, shall be present.

SECTION 4: Notice of meetings: Notice of all Executive Board meetings, except as otherwise provided, shall be given to every elected officer at five calendar days before the time of the meeting, stating the date, time, and place of the meeting. The notice need not describe the purpose of the meeting. Notice of all General PTO meetings shall be distributed through print and electronic means available to the PTO.*

SECTION 5: Transition: A joint meeting of the outgoing and incoming Executive Boards shall be held at the last regular meeting of each school year, unless otherwise scheduled.

SECTION 6: Minutes: Minutes shall be kept at all General, Executive Board, and PTO Board meetings.

SECTION 7: Documents: Budget, Bylaws, and Agendas shall be distributed through electronic means available to PTO (i.e. email, social media, newsletters) * Budget requests, bylaw requests, grant requests, and agendas shall be distributed at least 21 calendar days prior to a scheduled meeting.

ARTICLE IX

FINANCE

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

SECTION 2: The PTO financial accounts shall be examined by an impartial examiner and/or a Certified Public Accountant at the end of the fiscal year prior to being passed on to the newly elected Treasurer(s). The examiner shall follow the Annual Year End Fiscal Review form as designated by Peakview PTO's Financial Policies.

SECTION 3: The outgoing Executive Board must retain at least \$2,500.00 in the account for the working expenses of the incoming Executive Board. Carryover of \$5,000 is recommended.

SECTION 4: Additional funds (over \$5,000) shall not be carried over from one school year to the next, unless designated for a specific purpose.

SECTION 5: The Executive Board shall prepare the Annual budget in April for the following school year, to be presented and voted on at the first General Meeting of the school year. Input from the General Membership shall be collected prior to the budget meeting.

SECTION 6: The Executive Board may approve a budget overrun on any expense line up to \$500 provided that funds are available. Any larger overrun must be approved by majority vote at a General Meeting.

SECTION 7: Any request for funds not specified in the budget must be approved by majority vote at a General Meeting.

SECTION 8: Each committee chairperson shall be responsible for the proper disbursement of that committee's budgeted funds. Budget line items that are not specific to a committee shall be disbursed by the Executive Board. Any committee responsible for funding teacher requests for grants or projects shall be open to any member of the organization.

SECTION 9: No monies collected for any PTO event shall leave the venue except with a member of the Executive Board.

ARTICLE X

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).

Section 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.

Section 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.

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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.

Section 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).

Section 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 XI

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

SECTION 1: The Peakview Elementary School PTO 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.

SECTION 2: An annual affiliation letter shall be submitted by the President of the PTO 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 to the CCSD Parents' Council. (A signature received via a FAX or electronic document is deemed acceptable.)

SECTION 3: The membership fee required by the CCSD Parents' Council shall be an obligation of this organization.

SECTION 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.

SECTION 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.

SECTION 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.

SECTION 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.

SECTION 7: 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

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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 CCSD Parents' Council of the charter of this organization and removal of all affiliate benefits.

ARTICLE XI PARLIAMENTARY PROCEDURES, QUORUM, VOTING ELIGIBILITY AND VOTING

The latest revision of Robert's Rules of Order shall be the authority on parliamentary law, except when in conflict with these Bylaws.

SECTION 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.

SECTION 2: Conflict of Interest

1. 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.*

SECTION 3: Voting by Electronic Communication.

1. 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.
2. The board member may vote or demand action not be taken without a meeting by the required response date in like communication.
3. Failure to respond by the time stated in the notice will have the same effect as abstaining from voting.
4. The action passes with affirmative vote from the simple majority of the Executive Board.
5. The action must be ratified at the next scheduled meeting and documented in the minutes.
6. Electronic voting may take place via email or virtual meeting.*

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