

Willow Creek Elementary School Parent Teacher Organization Constitution and By-Laws

ARTICLE I - NAME

The name of this organization shall be Willow Creek Elementary School PTO.

ARTICLE II - OBJECTIVES

1. To promote the welfare of the children in the school, home and community.
2. To promote close communications, understanding and cooperation among the students, faculty and parents, in English and Spanish as necessary.
3. To support and improve the school environment through positive action.
4. To promote close communications, understanding and cooperation among the students, faculty and parents in English and in Spanish if deemed necessary by the Executive Board.

ARTICLE III - POLICIES

1. This Organization is self-governing, self-supporting, non-commercial, non-sectarian, non profit and non-partisan.
2. The Organization shall seek neither to direct the administrative activities of the school nor to control its policies.
3. This Organization shall aid the school through projects and the dissemination of public information.
4. The fiscal year shall run from July 1 through June 30.
5. A minimum of \$10,000 shall remain in the treasury by the end of the fiscal year (June 30th) to begin the next year's PTO program.

ARTICLE IV - MEMBERSHIP

1. Membership in the Organization is open to parents or guardians who have a child or children enrolled in the Willow Creek Elementary School, faculty members of the school and any other adult interested in the school who will uphold the policies of this organization and agree to this constitution and the by-laws.
2. An annual fall membership drive shall be conducted with additional members accepted at any time.
3. Members are deemed registered when providing their email address at anytime during the school year.

ARTICLE V - DUES

1. Any family is eligible to become a member of this organization and may join by completing a

membership form given at the time of the fall annual drive. A monetary fee is not necessary to join this organization.

ARTICLE VI - OFFICERS AND DUTIES

1. The President shall (A) preside at all meetings of the Organization and of the Executive Board; (B) act as an ex-officio member of all committees; (C) coordinate the work of the Officers and Committees in order that the objectives may be promoted; (D) The President shall have a vote when sitting as a member of the Executive Board; (E) has the authorization to handle cash transactions; and (F) perform such other duties as may be assigned by the Organization or by the Executive Board.

2. The Vice-President Co-Chair Fall Fundraiser shall (A) advise and coordinate all fall fund raising projects; (B) work with the Treasurer in receiving all monies of the Organization; and (C) work with the Treasurer in developing an annual budget, which shall define the year's expenses fund-raising expenditures; (D) has the authorization to handle cash transactions; and (E) assume the duties of the President in the event of the President's temporary inability to serve.

3. The Vice-President Co-Chair Spring Fundraiser shall (A) advise and coordinate all spring fund raising projects; (B) work with the Treasurer in receiving all monies of the Organization; (C) work with the Treasurer in developing an annual budget, which shall define the year's expenses and fund-raising expenditures; and (D) has the authorization to handle cash transactions.

4. The Secretary shall (A) record the minutes of all meetings of the Organization and of the Executive Board and furnish copies of the minutes to the President within one (1) week following the meeting; (B) maintain a roll of all members of the Organization; (C) take care of all correspondence relating to the Organization; and (D) has the authorization to handle cash transactions.

5. The Treasurer shall be the financial officer of the Organization and shall present a budget at the General Membership Meeting in the fall. In the name of the Organization, the Treasurer shall (A) together with the President receive all monies of the Organization and deposit said monies in a bank designated by the Executive Board; (B) keep an accurate record of receipts and expenditures; (C) pay out funds with proper vouchers in accordance with the approved budget; (D) present a financial report at every meeting of the Organization and at other times as requested by the Executive Board; and (E) has the authorization to handle cash transactions.

All Officers and Chairmen are to maintain a current notebook of procedures and activities, which they shall turn over to their successors.

ARTICLE VII - EXECUTIVE BOARD

1. The Executive Board shall consist of the President, VP Co-Chair Fall Fundraiser, VP Co-Chair Spring Fundraiser, Secretary and Treasurer.
2. The Duties of the Executive Board shall be to (A) transact necessary business in the intervals between Organization Meetings and any other such business as may be referred to it by the Organization; (B) present a report of the work of the Organization at the General Membership Meetings; (C) prepare and submit to the Organization for the approval a budget for the fiscal year; (D) act for the Organization in an emergency; (E) appoint persons to serve the balance of the terms for an vacant elected office; and (F) to approve the work plans of the Standing Committees.

ARTICLE VIII - STANDING COMMITTEES

Section 1

- A. Such Standing Committees shall be created by the Executive Board as deemed necessary to promote the objectives and carry on the work of the Organization. The Officers shall appoint Chairmen of the Standing Committees. Their term shall be a minimum of 1 year.
- B. The Chairmen of each Standing Committee shall present a plan of work to the Executive Board for approval. No work shall be undertaken without the consent of the Executive Board.
- C. The President shall be an ex-officio member of all Committees except the Approval Committee.
- D. The Executive Board has the right to deem certain standing committee chairperson(s) responsible to handle money if an Executive Board member cannot be present. All guidelines pertaining to monetary policy of the school district must be adhered to in all instances. A copy of the school district's cash handling procedures must be made available to standing committee chairperson(s) should an instance occur to ensure proper handling.

Section 2

- A. Hospitality: The purpose of this committee is to promote a welcoming, supportive and appreciative school environment by planning and coordinating activities that recognize teachers, staff, volunteers and families. This committee shall build school spirit and foster positive relationships through appreciation events, refreshments, decorations and special celebrations throughout the school year.
- B. Enrichment: The purpose of this committee is to enrich the student experience by providing educational, creative, and engaging opportunities that celebrate artistic expression within the school community. The committee shall coordinate programs and experiences that inspire curiosity, creativity, and appreciation for the different forms of artistic expression while supporting the PTO's mission and school goals.
- C. Communication: The purpose of this committee is to support the PTO's mission by providing clear, consistent and engaging communication to families, staff and the school community. The committee shall keep the community information about PTO initiatives,

events, volunteer opportunities, fundraisers and important updates through effective digital and written communication.

- D. Home Room Parent Coordinator: The purpose of this committee is to strengthen the connection between families, teachers and the PTO by supporting classroom communication, fostering parent involvement and assisting with classroom and school wide activities. The committee shall serve as a bridge between teachers, families and PTO leadership to help create a positive, connected and supportive school experience for all students.
- E. Yearbook: The purpose of this committee is to preserve the memories and milestones of the school year by creating a meaningful keepsake that celebrates student, staff, activities and special moments. The committee shall be responsible for planning, designing, producing and distributing the annual yearbook while working collaboratively with the school community to capture the experiences that make the school year unique.
- F. Spirit Night: The purpose of this committee strengthens school community engagement by organizing and promoting opportunities for families to connect outside of the classroom while supporting the PTO's fundraising efforts. This committee shall partner with local businesses to coordinate spirit nights and community events that encourage school spirit, increase family participation and generate financial support for PTO programs and initiatives.
- G. Counselor Partner: The purpose of this is to support the social, emotional and academic success of students by partnering with the school counselor to provide resources, programs and initiatives that promote student well being and a positive school environment. This committee shall help identify opportunities to support counseling programs, student needs and campus initiatives while strengthening the partnership between families, the school and the PTO.
- H. Newsletter: The purpose of this committee is to keep families, staff and the school community informed and engaged by creating and distributing timely, accurate and engaging PTO communications. This committee shall share important updates, celebrate school achievements, promote upcoming events and highlight opportunities for families to stay connected and involved.

ARTICLE IX- MEETINGS

- 1. General Membership meetings shall be held monthly during the academic year.
- 2. Advance notice of all General Membership Meetings shall be given to the membership.
- 3. Special Meetings may be called by the Executive Board by giving written notice to the Organization.
- 4. The privileges of holding an office, introducing motions, debating issues and voting of motions shall be limited to the members in good standing.

ARTICLE X- QUORUM

- 1. Five (5) members shall constitute a quorum for the transaction of business at any General Membership Meeting.

2. If fewer than five (5) members present at a meeting, no action can be taken. Instead, matters brought before the Membership will be discussed and decided by the Executive Board.

ARTICLE XI: NOMINATIONS and ELECTIONS

1. There shall be an Election Committee consisting of five (5) members. One (1) member shall be a current member of the Executive Board-the first choice being the President. One (1) member shall be selected by the school faculty, and three (3) shall be members in good standing of the Willow Creek Elementary PTO.
2. The Election Committee shall choose a spokesperson that will report to the Executive Board and the Principal of Willow Creek Elementary.
3. The Election Committee duties include identifying candidates through self-nomination and anonymous written nominations, providing a list of written candidates to the Executive Board, notifying membership of the upcoming election and counting ballots cast for each candidate.
4. An election ballot will be developed to include nominations for each Board position. Nominees will be notified and may decline his/hers nomination and will be removed from the ballot.
5. Only a current Executive Board Member who has served on said Board for at least one (1) year, shall be eligible to serve in the office of the President or Treasurer. However, should the office of the Treasurer not be fillable from the current Executive Board, said Board shall select a qualified general member to fill the position of Treasurer for the following year. The term "qualified" to be defined by the current Executive Board.
6. Executive Officers shall be elected at the April PTO General Meeting by the members present.
7. A nomination during the meeting may be added to the ballot.
8. Voting shall be done by a secret ballot.
9. The person receiving the majority vote for each position, shall become the next officer. In the case of a tie, the Executive Board has the deciding vote.
10. The newly elected Executive Board will be installed at the regular May meeting of said Board.

ARTICLE XII- AMENDMENTS

1. These Bylaws may be amended by a two-thirds (2/3) vote of the members present and eligible to vote at any regular or special meeting of the General Membership, provided that written notice of the proposed amendment is given to the membership before the meeting. Any member in good standing may propose an amendment in writing. Proposed amendments must be submitted to the Executive Board prior to the meeting at which they will be considered. The Executive Board shall provide notice of the proposed amendment to the membership in advance of the meeting.

ARTICLE XIII- DISSOLUTION

1. The PTO may be dissolved provided at least 30 days notice of the intended dissolution vote at a scheduled General Meeting is provided to all members and a super majority ($\frac{2}{3}$) of a quorum of members present at the scheduled meeting vote for the dissolution of the PTO. If the PTO is dissolved, all assets and records become the property of Willow Creek Elementary School. However, if the named recipient is not in existence, or is no longer a qualified distribute , or is willing or unable to accept the distribution, then the assets of the Organization shall be distributed to a fund, foundation, or organization which is organized and operated exclusively for the purposes specified in Section 501C(3) of the Internal Revenue Code.

XIV- PARLIAMENTARY PROCEDURES

1. Roberts Rules of Order, Newly Revised shall be parliamentary authority for this Organization and shall govern any procedures not specifically outlined in this constitution or the by-laws.

ARTICLE XV- PURPOSE

1. The purposes for which the association is organized are exclusively charitable and educational within the meaning of Section 501C(3) of the Internal Revenue Code or the corresponding provision of any future United States Internal Revenue Law.

ARTICLE XVI- FINANCES

Section 1- Policies

- A. The PTO shall be non-commercial, non-sectarian, non-partisan and non-political, and will not endorse a commercial enterprise or candidate.
- B. PTO funds shall not be used for any items, programs or events that do not directly benefit Willow Creek Elementary School.
- C. Special monetary request for non-budgeted items must be submitted to the Executive Board for discussion and approval.

Section 2- Cash Handling and Disbursement

- A. Authorized Personnel: All cash and checks received on behalf of the PTO shall only be handled and counted by the following authorized personnel:
 - a. Treasurer
 - b. President
- B. Additional Authorized Personnel: The Executive Board may, by majority vote, annually approve additional individuals to handle and count cash and checks as deemed necessary for effective operation of the PTO.

Section 3- Loans

- A. No loans shall be made by the PTO to its officers, members or any other entity.

Section 4- Contracts

- A. Officers, Executive Board, Committee Chairs and members shall not enter into a contract on behalf of the PTO without prior approval from the Executive Board.

Section 5- Expenses and Reimbursement

- A. Reimbursements for all expenses will be made only after receipts for expenditures have been documented on the Check Request Form and signed by the Treasurer. These forms shall be submitted to the Treasurer within 30 days of the purchase. Requests made without paper receipts will not be processed for reimbursement. All transactions will go through the Treasurer before being paid.

Section 6- Banking

- A. The Treasurer shall ensure all funds of the PTO are deposited to the credit of the organization. All deposits and disbursements shall be documented by a receipt, an invoice, or other written documentation. All deposits and or disbursements shall be made in a timely manner, preferably prior to the close of the month.

Section 7- Financial Report

- A. The Treasurer shall present a financial report at each membership meeting of the organization and prepare a final report at the close of the fiscal year.

Section 8- Fiscal Year

- A. The fiscal year of the organization shall be from July 1 to June 30 in accordance with the State of Texas.

Section 9- Carryover

- A. A minimum of \$10,000 shall remain in the treasury by the end of the fiscal year (June 30th) to begin the next year's PTO program.

Section 10- Financial Record Retention

- A. All records of the organization shall be maintained and destroyed in accordance with the law and standard retention guidelines.

Section 11- Quarterly Audit

- A. Quarterly Texas Sales and Use Taxes will be submitted and paid in a timely manner. Payment is due around the middle of the month after the quarter ends (July, October, January, April).

Section 12- Annual Audit

- A. An outside party, such as a CPA or an accountant, may be used to audit the financial information versus an audit committee. If an outside party performs the

review, their results should be shown in their own report format. The outside party would need to sign and date their report. (Annual)

- B. The required federal tax forms (990 EZ) will be filed by a tax professional in accordance with the timelines designated by the school district
- C. The Organization shall take reasonable measures to avoid penalties, interest, late fees, and other charges resulting from untimely filing or payment of taxes or required governmental filings.
- D. The Board of Directors and officers shall ensure that the Organization maintains compliance with all applicable requirements necessary to preserve its federal tax-exempt status. Failure to file a required annual return or notice for three consecutive years may result in automatic revocation of the Organization's federal tax-exempt status under applicable federal law.

ARTICLE XVII- CONFLICT OF INTEREST

- A. Existence of Conflict, Disclosure: Officers and Members of PTO should refrain from any actions or activities that impair, or appear to impair, their objectivity in the performance of their duties on behalf of the PTO. A conflict of interest may exist when the direct, personal, financial, or other interest of any Officer or Member competes or appears to compete with the interests of the organization. If such conflict of interest arises, the interested person shall call it to the attention of the Executive Board for resolution. If the conflict relates to the matter requiring board action, such person shall not vote on the matter. When there is a doubt as to whether any conflict of interest exists, the matter shall be resolved by a vote of the Executive Board, excluding the person who is the subject of the possible conflict.
- B. Nonparticipation in Vote: The person having a conflict shall not participate in the final deliberation or decision regarding the matter under consideration and shall retire from the room in which the Executive Board is meeting. However, the person may be permitted to provide the Executive Board with all relevant information.
- C. Minutes of Meeting: The minutes of the meeting of the Executive Board shall reflect that the conflict was disclosed, and the interested person was present during the final discussion or vote and did not vote on the matter.

ARTICLE XVIII- Indemnification

- A. Every Officer and Member of the PTO may be indemnified, if approved by a majority of Board Members, by the PTO against all loss, cost, expenses and liabilities, including counsel fees, reasonably incurred or imposed upon such Officers or Member in connection with any threatened, pending, or completed action, suit or proceeding to which the Officer or Member may be made a party or may become involved by reason of the Officer or Member being or having been an Officer or Member of the PTO. Any action or settlement of said action may be considered for indemnification under this section unless the action, suit or proceeding arose out of the Officer or Member's action or omission of the Officer

or Member's negligence, gross negligence, misconduct, acts or omissions with fraudulent or criminal intent, or breach of fiduciary duty in the performance of the Officer or Member's duties. Provided, however, that in the event of settlement or resolution of the action the indemnification herein shall apply only when the Executive Board approves such settlement or resolution and reimbursement as being in the best interest of the PTO. The foregoing indemnification of Officers and Members shall be in addition to and not exclusive for all the other rights which such Officer or Member is entitled. The foregoing indemnification of Officers and Members shall not apply to the extent insurance for any Officer or Member's actions, or conduct is covered by any type of insurance, whether held personally, held jointly with or without this organization or another individual. No Officer or Member shall be indemnified if the Officer or Member is determined by the Executive Board to have been derelict in the performance of their position's duties under these by laws with respect to the claim for which indemnification is being sought. Such determination shall be made by majority of the Board Members who are not parties to any claim or legal action, even if those voting are less than a quorum.

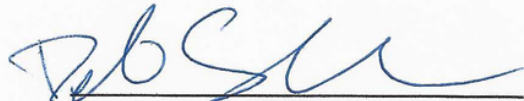
ARTICLE XIX- ADOPTION

These by laws shall be effective upon approval by the Willow Creek Elementary School Principal and two-thirds vote of the PTO members present at the PTO General Membership Meeting.

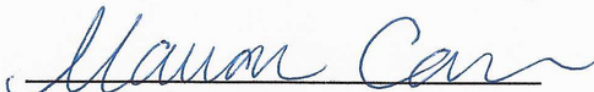
Approved and adopted on September 11, 2024



Signature of Willow Creek Elementary Principal



Signature of PTO President



Recording Secretary

09/11/2024

Adoption Date