

**Bylaws of  
Spring Creek Elementary School  
Parent-Teacher Organization.**

**ARTICLE I**

**General**

**Article 1.1 Name.** The name of this organization shall be the Spring Creek Elementary School Parent-Teacher Organization, Inc. (the "PTO").

**Article 1.2 Purpose.** The purpose of the PTO shall be to:

- A. Encourage a cooperative and open communication between parents, teachers, and administrators in the education of Deer Creek Public Schools ("DCPS").
- B. Bring closer the relationship of home and school so that parents, teachers, and administrators may work cooperatively and productively toward the education and safety of the students of Spring Creek Elementary School ("SCES").
- C. Give parents and students an organized opportunity to show appreciation to teachers and administrative staff of SCES.
- D. To provide for the advancement of education and/or teacher appreciation through various fundraisers, in compliance with the 501c3 of the Internal Revenue Code.

**Article 1.3 Policies.** The PTO shall neither seek to direct the administrative activities of SCES nor control its policies. The PTO may make suggestions to the administration concerning activities of SCES or DCPS, if such suggestion is made toward the betterment of conditions for all concerned (i.e. students, teachers, administrators, parents).

**ARTICLE II**  
**MEMBERSHIP**

**Article 2.1 Persons Eligible to Become Members.**

A. Any parent, step-parent, or legal guardian of a child enrolled and attending Spring Creek Elementary School who will uphold the policies of the PTO and agree to the Bylaws and Operating Practices of the PTO may become a member of the PTO.

B. Each certified staff member of Spring Creek Elementary who will uphold the policies of the PTO and agree to the Bylaws and Operating Policies of the PTO may become a member of the PTO.

**Article 2.2 Participation.** Each member of the PTO shall be entitled to attend and participate at PTO Meetings of any school site at which such member (i) has a child enrolled and attending, or (ii) is employed. Such participation shall include, without limitation, the right to (x) make motions, (y) vote on all matters presented to the membership of such PTO, and (z) be considered for election or appointment to PTO Board or a committee thereof.

**Article 2.3 Advisors.** Members of the DCPS School Board (the "School Board"), the DCPS Superintendent, Administration Directors, Principals, and Assistant Principals are always encouraged to contribute to discussions at any meeting of the PTO.

**ARTICLE III**  
**PTO BOARDS**

**Article 3.1 Management of PTO.** Subject to the limitations of these Bylaws, the business and affairs of PTO shall be managed by or under the direction of a board of directors (a "PTO Board"). Each PTO Board shall consist of the following members/officers:

- President
- Vice President
- Treasurer
- Secretary

**Article 3.2 Duties of PTO Board Members.**

A. President's responsibilities include (but are not limited to):

- Attends, organizes, and conducts all PTO meetings.
- Must be organized and have an agenda for each meeting
- Be the official spokesperson for the organization. Coordinate the work of the officers and committees, in order for the objectives to be promoted.
- Preside over all PTO meetings.
- Monitor and support all activities of the other officers and committee chairs for PTO events.
- Communicate with the membership of the PTO no less frequently than monthly via newsletter, website, email, social media, etc.
- Assist the Treasurer in creating a school site budget
- Plays an active role in Spring Creek Elementary School PTO activities.
- Create and publish the annual PTO meetings calendar by the first PTO meeting of the school year.
- May vote in all situations.
- Responsible for contacting the Vice-President if unable to attend any scheduled meetings.
- Deliver to the successor in office, all records in his/her possession by July 1.

B. Vice President's responsibilities include (but are not limited to):

- Attends scheduled meeting
- Assist the President as needed
- Assumes the duties of President if the president is unable to execute the responsibilities of the office.
- May vote in all situations.
- Plays an active role in Spring Creek Elementary School PTO activities.
- Performs other duties as assigned by the President.
- Deliver to the successor in office, all records in his/her possession by July 1st.

C. Treasurer's responsibilities include (but are not limited to):

- Attends and presents budget at all scheduled meetings.
- Maintains accurate accounts of all income and expenditures.
- Writes all checks, pays all bills, and makes any other disbursements approved by the PTO Board.
- Responsible for ensuring correct signatories are in place by the beginning of each school year.
- Reconcile balance sheet to the financial institution where monies are held on a monthly basis

- Properly deposit all money collected in the PTO bank account
- Proposes budget to officers by the beginning of the school year.
- Reports the monthly budget at the PTO meetings
- Files the appropriate tax forms upon completion of each accounting period – June 30
- Plays an active role in Spring Creek Elementary School PTO activities.
- May vote in all situations.
- Performs other duties as assigned by the President.
- Deliver to the successor in office, all records in his/her possession by July 1st.

D. Secretary's responsibilities include (but are not limited to):

- Attends and records/distributes minutes for all scheduled meetings.
- If unable to attend a meeting, make arrangements for another officer to fulfill the role.
- Prepare any materials needed for distribution in meetings.
- Keep on file a copy of the current by-laws. This information is to be kept in custody of the current secretary.
- Coordinate and prepare the agenda for monthly PTO meetings; Record minutes at each of the monthly PTO meetings.
- Transcribe the minutes and present copies at the next PTO meeting for approval.
- Post and manage the sign-in sheet for the monthly PTO meetings; and maintain all agendas, minutes, and sign in sheets of the PTO.
- Assists with all written correspondence, flyers and handouts of PTO.
- Plays an active role in Spring Creek Elementary School PTO activities.
- May vote in all situations.
- Deliver to the successor in office, all records in his/her possession by July 1st.

E. Each PTO Board member will use reasonable efforts to ensure that its PTO adheres to the terms of these Bylaws and the Operating Practices, as well as all DCPS and school administrative policies.

F. The term of each PTO Board member shall be from July 1 through June 30. No individual may hold the same office for more than four (4) consecutive years.

G. Any PTO Board member may resign at any given time by giving written notice of resignation to the PTO Board. Such resignation will be considered accepted upon delivery.

- a. In the case of any vacancy on a PTO Board, the vacancy will be filled

through the regular nomination process or as otherwise determined by the PTO Board, unless the resignation occurs within one hundred twenty (120) days prior to the expiration of the current term of such office. In such a case, the remainder of the PTO Board members may assume the responsibilities of the vacant position.

- b. Any PTO Board member may be removed from office for cause by majority vote of the PTO Board. For purposes of this section the term "cause" shall include, without limitation, an internal violation of these Bylaws, the Operating Practices or any DCPS policy, neglect of duty, excessive absenteeism, or irresponsible behavior. Any PTO Board member removed from office for cause will be prohibited from ever holding another office in the Organization.

**Article 3.3 Committees.** The PTO Board may designate one or more committees, each committee to consist of two or more members of PTO membership. Any such committee shall have such responsibilities and authority designated by the PTO Board.

**Article 3.4 Executive Board.** Each site officer shall be considered a participating member of the DCPS PTO Executive Board and may attend meetings to present reports concerning school site matters by the DCPS CFO. A "Chairperson" shall be elected from these site Presidents to facilitate and lead these meetings.

## ARTICLE IV

### PTO MEETINGS

**Article 4.1 General.** The PTO Board will hold public monthly or quarterly meetings from September through May. Meeting dates for the following year shall be determined no later than July 1 and notice thereof shall be widely publicized to parents and staff of such school site.

**Article 4.2 Changes to Meeting Schedule.** Any changes made to the monthly or quarterly meeting schedule of the PTO Board must be widely publicized to parents and staff with a minimum of ~~forty eight (48)~~ twenty-four 24 hours notice.

**Article 4.3 Closed Meetings.** The PTO Board may, at the discretion of the PTO President, hold closed meetings with either (i) officers only present, or (ii) officers and committee chairs only present. However, no vote on matters pertaining to the general PTO membership may be taken at any such closed meeting (i.e., no voting on spending of funds, approval of budget, etc.)

**Article 4.4 Special Meetings.** Special meetings of PTO may be called by the President or the Vice President (in each case with the approval of the school Principal). Notice of any such special meeting shall be widely publicized to parents and staff with a minimum of forty eight (48) hours notice.

**ARTICLE V**  
**PTO VOTING**

**Article 5.1 Quorum.** A quorum shall be present at a meeting of PTO if at least two PTO officers and two non-officer members are present at the meeting.

**Article 5.2 Voting.** Each member of PTO (including officers) will have one vote per matter presented (not one vote per child enrolled in the applicable school site). The affirmative vote of a majority of the members present (including officers present) shall be required to approve any matter (other than the election of officers) coming before or submitted to the members of the PTO.

**ARTICLE VI**  
**ELECTION OF SCHOOL SITE PTO OFFICERS**

**Article 6.1 Nominating Committee**

A. The PTO Board will have a nominating committee that consists of the school principal, the current Vice President, and one member of the PTO approved by the membership of the PTO. This committee should be formed no later than the end of January. Only those persons who have consented to serve will be eligible for nomination.

B. The nominating committee shall present its slate of nominees in writing at the March PTO meeting. Nominations from the floor may also be made at the Second to last PTO meeting; however, only persons present at the meeting and who have consented to serve may be nominated from the floor.

C. At the second to last PTO meeting, after a motion to close nominations is made and confirmed, the ballot is final. The only exception will be if there are no eligible nominees for a particular office. In that case, the nominating committee may continue to seek a candidate or candidates for the vacant position for presentation to the membership at the final PTO meeting.

**Article 6.2 Presentations by Candidates.** If more than one candidate is running for an office, at the final PTO meeting, the nominees may each speak to the PTO membership regarding their background, qualifications, etc.

**Article 6.3 Election Procedures.** Elections will take place at the April Final PTO meeting of the year. All voting must be done by written ballot. The ballots will be counted by the nominating committee, and the ballots will be held at the school site for one week before destruction. No proxy votes will be allowed. Each member of the PTO will be entitled to one vote per office. The nominee receiving the highest number of votes for a particular office will be elected. In the case of special circumstances, i.e., pandemic, distance learning, a vote may be done by online poll, voice vote, or show of hands.

## **ARTICLE VII**

### **PTO FUNDRAISING**

**Article 7.1 Fundraiser Defined.** A fundraiser is defined as an activity or event that is intended to generate money to support a particular school. Fundraising activities should be driven by a defined purpose and goal.

**Article 7.2 Two Fundraisers Per School Site.** Without the prior approval of the Board of Education and the DCPS Superintendent, PTO is allowed to have only two fundraising activities or events each school year.

**Article 7.3 Approval.** All fundraisers must have the approval of the school site principal and be sanctioned by the Deer Creek Board of Education. The details of this process will be included in the Operating Practices.

**Article 7.4 Distinction Between School and PTO Fundraisers.** All fundraisers shall be clearly publicized as a "school" fundraiser or "PTO" fundraiser in flyers and other means of promotion so that PTO members and other school patrons understand the purpose and control of the funds collected. PTO officers shall not chair "school" fundraisers as this may create confusion of the purpose and control of the funds raised, i.e., School Family Fun Night and Walk-a-thon. School fundraisers, although sometimes managed by parents, are not to have their funds deposited into the PTO bank account.

**Article 7.5 Service Projects and Certain Other Activities.** Activities that do not require a monetary donation on the part of patrons, such as "clipping" programs, i.e. "Box Tops", rebate programs (store, credit card, and restaurant), i.e. "Spirit Nights", recycling, etc. are classified as donations and are to be directed to the school's donation account. Service projects, which are defined as any service that is sold to patrons without a markup, are not considered fundraisers. PTO may sponsor an unlimited number of service projects. However, each service project should be voted on by the PTO membership.

## **ARTICLE VIII**

### **PTO FINANCE**

**Article 8.1 Submission of Budget for Approval.** On or before May 1st, the PTO Board shall submit a proposed annual budget for the upcoming year to be presented to the PTO membership for approval at its May meeting. A standard budget format is included in the Operating Practices.

#### **Article 8.2 Expenditures by PTOs.**

1. The PTO shall spend no more than twenty percent (20%) of its gross profit from each fundraiser on PTO Expenditures; with gross profit calculated as collections less expenses.
  - a. PTO Expenditures include Operating Expenses and Activity Expenses. Operating Expenses consist of general or administrative items and equipment. General or administrative items would be considered disposable. Normally, these items are not reusable year after year and include: stamps, envelopes, fees, basic office supplies, etc. General or administrative equipment would be considered durable. These items are reusable year after year and include: phones, 10- keys, shredders, lock boxes, etc.
  - b. Activity expenses consist of Teacher and Staff Appreciation Events and Social Events. Teacher and Staff Appreciation Events include: meals, plants, gift cards, etc. for teachers and staff. Social Events include: swim parties, ice cream socials, movie nights, carnivals, etc.
  
2. The PTO shall spend the remainder of its gross profit from each fundraiser on School Grants. School Grants are expenses that have an educational value and benefit the students. They can be disposable or permanent and must offer a learning experience, atmosphere or environment. School Grants encompass several categories including: school enhancement, teacher classroom or school requests, fitness programs, drug and safety programs, etc.
  
3. The PTO may not spend over \$300 without the written approval of the PTO membership; provided, however, that expenditures approved in the annual budget do not have to be approved again. This requirement includes the obligation to spend in excess of \$300 via the ordering of items.
  
4. The PTO should strive to spend the money that is raised during a particular school year during that school year; provided, however, that the PTO officers may elect to carry over to the succeeding school year an amount not to exceed \$3,000.
  
5. In no event shall PTO spend, or commit to spend, an amount in excess of the funds in its bank account.

#### **Article 8.3 Bank Account Management.**



A. A check request form must be filled out and signed by two officers for every expenditure.

B. All checks must be signed by two officers.

## ARTICLE IX

### TRANSITION OF OUTGOING AND INCOMING PTO OFFICERS

**Article 9.1 General.** After elections are held in April, the outgoing officers will work with the incoming officers in a transitional period until their terms begin on July 1. The incoming officers will be known as follows:

A. President Elect

B. Vice President Elect

C. Treasurer Elect

D. Secretary Elect

**Article 9.2 Responsibilities of Outgoing Officers.** During this transitional period, it is the duty of the outgoing officers to provide all necessary information and documents to the incoming officers. This information includes (but is not limited to) all treasurer's reports, minutes, agendas, notes, and other information necessary or appropriate to allow the incoming officers to start their term on July 1. At the end of their terms, the outgoing officers will turn over updated notebooks to the incoming officers. Such notebooks should include current copies of the Bylaws and Operating Practices.

**Article 9.3 Responsibilities of Incoming Officers.** The responsibilities of the incoming officers include (but are not limited to):

1. Work with outgoing officers to put together a budget for the following year. B. Determine what two fundraisers to have for the following year. Incoming officers
2. will work with the outgoing officers to present this information to the members for approval at the May PTO meeting.
3. Work with the outgoing officers to prepare the proper documentation for
4. sanctioning approval from the School Board.

## ARTICLE X

### INDEMNIFICATION

**Article 10.1 General.** Each PTO Officer now or hereafter serving as such may be indemnified by the Organization against any and all claims and liabilities to which such officer has or shall become subject by reason of any action alleged to have been taken, omitted, or neglected by him or her as such officer; and

the Organization may reimburse each such person for all legal expenses reasonably incurred by him or her in connection with any such claim or liability; provided, however, that no such person may be indemnified against, or be reimbursed for, any expense incurred in connection with any claims arising out of his or her own willful misconduct, gross negligence or criminal acts. The amount paid to an officer by way of indemnification shall not exceed his or her actual, reasonable and necessary expenses incurred in connection with the matter involved.

**ARTICLE XI**  
**MISCELLANEOUS**

**Article 11.1 Amendment of Bylaws.** These Bylaws may be amended only by a majority vote of the membership. Prior to any amendment(s) to the Bylaws, the DCPS CFO shall request to review the proposed amendment(s) and make a recommendation with respect thereto.

**Article 11.2 Amendment of Operating Practices.** The Operating Practices may be amended by the PTO Board from time to time, if necessary.

**Article 11.3 Inconsistencies.** In the event of any inconsistency between these Bylaws and the Operating Practices, these Bylaws shall control.

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