



# Elm Creek PTO Bylaws

## **Name**

The legal name of the organization shall be Elm Creek Parent Teacher Organization, officially referred to as heron and signed as Elm Creek PTO or ECE PTO.

## **Purpose**

The purpose of this organization is to encourage Elm Creek families to assist with various school activities/functions/services, provide financial assistance where needs are identified within the school, foster a community atmosphere, and support the mission and vision of the school and school district.

## **Mission**

The mission of the Elm Creek Elementary PTO is to boost school experiences for our students. Funds will be allocated to teachers and school staff per their requests and may be used for books, technology, and other supplies needed to enhance their classroom activities and learning experiences.

## **Membership**

**General Membership:** Any parent, guardian, or other adult standing in loco parentis for a currently enrolled student at Elm Creek Elementary school may be a member.

**Staff Membership:** The principal and any employed staff member of Elm Creek Elementary may be a member.

## **Board Members and Committee Directors**

**Board Members:** PTO board members shall consist of President, Vice President, Secretary, and Treasurer.

### **Board Terms:**

Each member of the PTO board can serve two consecutive year terms, with one year terms in place and reapply for position each year. If the position is uncontested, the current member can maintain their seat.

**Key Responsibilities:** The affairs, activities, and operation of the organization shall be managed by the board. The duties of the board shall be to:

- Transact necessary business during the intervals between general PTO meetings.
- Create standing and special committees.
- Shepard fulfillment of all committee positions.
- Approve the plans and work of standing and special committees.
- Present reports and recommendations at general PTO meetings.
- Prepare and submit an annual budget to the membership for approval.
- Present significant budget amendments to the membership for approval.

**Voting:** A majority vote by the members of the board shall be required to take action on items presented at PTO board meetings.

**Limits of Liability:** Members of the PTO board shall not be personally liable for any debts, liabilities or obligations of the Elm Creek PTO.

**Meetings:** Meetings of the PTO board team shall be held at least monthly or as needed in-person, via phone, or virtually. Special meetings may be called by the President or by a majority of the board. Adequate hard copy, telephonic, or electronic notice of all meetings shall be given to all members of the board and, in the absence of an emergency, at least seven days in advance, when possible.

**Disclaimer:** The volunteer hours listed below are an estimate based on how the 2023-2024 PTO board has allocated their time. If a communication director is added VP and Secretary hours will decrease.

**President: (approx 10-14 hours per month, 14-16 hours per month if a PTO event is held)**

- Attend all PTO board and general PTO meetings.
- Lead monthly general PTO meetings.
- Align with the PTO board to create general meeting agenda topics and ensure the agenda is communicated prior to the general PTO meetings.
- Review bylaws, policy statements, and job descriptions of the PTO to ensure that they serve the changing needs of the Elm Creek community.
- Conduct at least two summer meetings with PTO board members and committee directors to plan events for the upcoming school year.
- Work with the board to prepare an annual operating budget for the PTO during the summer.
- Present budget to the principal prior to the first PTO meeting of the school year, and, following approval, at the first general PTO meeting of the school year.
- Advise, direct, and review the work of other board members, committee directors, and PTO committees, as needed.
- Review and approve all financial requests submitted to PTO.
- Review all funding proposals with the board. Prepare recommendations to submit to PTO membership.
- Preside over meetings of the organization and board.
- Meet with the principal and staff as needed to discuss pertinent issues.
- Initiate ways to improve PTO events and the way PTO functions on an as-needed basis.
- Manage ecepto google domain
- Manage [ecepto.org](http://ecepto.org) website.
- Write checks and disburse funds in accordance with the budget approved by the PTO board.
- Cosign checks for fund disbursement.
- Reserve facilities and obtain permits through the school district for any meeting or event that takes place after school hours on the school campus.

**Vice President: (approx 10-14 hours per month, 12-15 hours per month if PTO event is held)**

- Attend all PTO board and general PTO meetings.

- Align with the PTO board to create general meeting agenda topics and ensure the agenda is communicated prior to the general PTO meetings.
- Work with board members to prepare an annual operating budget for the PTO during the summer.
- Advise, direct, and review the work of other board members and PTO committees directors
- Ensure all committee directors fill out event documents (cash box requests, planning, event debrief, and follow-up)
- Facilitate on-going Committee Director meetings to ensure all planned events are reviewed in detail prior to the implementation.
- Ensure there is an event review meeting scheduled approximately 90 days prior led by the Committee Directors, and includes the volunteer coordinator (if volunteers are needed), VP, and available board members. Board review approximately 30 days prior to finalize the cash box and other details.
- Solicit and review event coordinator reports.
- Initiate ways to improve PTO events and the way PTO functions on an as-needed basis.
- Perform other duties as requested by the PTO President and board
- Review and approve all event communication (social media, Peachjar flyers, etc.)
- Comanage email and social media content calendar with secretary
- Write checks and disburse funds as approved by the PTO President, and in accordance with the budget approved by the PTO board.
- Cosign for fund disbursement (checks)
- Perform other duties as requested by the PTO President and board
- If the secretary is unavailable, the VP will stand in for documentation purposes.

**Secretary: (approx 3-5 hours per month, 5-7 per month if an PTO event is held)**

- Attend and take minutes at each PTO board and general PTO meeting.
- Work with board members to prepare an annual operating budget for the PTO during the summer.
- Transcribe and distribute copies of meeting minutes to all board leadership team members within one week of meeting.

- Maintain a list of all committee directors & board members, including names, phone numbers, and personal email addresses. Distribute to all leadership team members and the front office staff.
- Update and maintain the PTO bulletin board in the school's main lobby, change monthly.
- Comanage email, social media and content calendar with VP
- Ensure update and replacement of fliers for next pto meeting, (at volunteer check-in kiosk, at PTO meetings and events, etc.)
- Send thank you notes to all PTO guest speakers, donations
- Send out and/or post reminder notices to all parents about upcoming PTO meetings & events (social media and email list).

**Treasurer (approx 6-8 hours per month, 10-14 per month if a PTO event is held)**

- Attend all PTO board and general PTO meetings.
- Work with board members to prepare an annual operating budget for the PTO during the summer.
- Finalize monthly activity report no later than 5 days of the end of the month for review and approval by PTO board and, once approved, present at general PTO meetings
- Input budget and bank account information into an approved financial accounting program.
- Establish and maintain a Treasurer's mailbox in the school office containing funding request forms and reimbursement request forms for general use.
- Track and record all deposits into PTO bank accounts.
- Communicate to the board when a request for funds is submitted.
- Manage the checkbook, distribute checks to president/vice president for signing after board consensus
- Ensure transference of newly elected board members to the bank account
- Manage and balance PTO bank accounts. Keep detailed records of all PTO funds earned and spent.
- Work with the resource manager to provide an updated report of staff members expense status, monthly.
- Advise the board and committee directors on PTO financial matters.
- Assist committee directors of PTO events in setting up a cash box for their event.
- Prepare and present PTO budget review at the beginning of each school year, at mid-year (December before winter break) and at the end of the school

year(June before the last day of school). Budget must be presented to the board and principal prior to the general PTO members.

- Arrange for review of financial records according to bylaws.

## **Committee Directors:**

Directors of PTO sponsor school events such as Turkey bingo, carnival, etc.

### **Committee Director Terms:**

Each member of the committee directors can serve two consecutive year terms, with one year terms in place and reapply for position each year. If the position is uncontested, the current member can maintain their seat. An extension of term could be granted by a special committee vote.

Limit to 2 committee co-chairman per school event.

### **Committee Director Description:**

The committee director shall report the plans and activities of the committee to the board on a monthly basis, adhere to all financial guidelines as set by the leadership team, conduct all committee activities within the approved committee budget, and provide counsel to incoming committee director.

### **Duties of Committee Directors**

- Support the objectives of the ECE PTO and uphold its policies and principles.
- Help recruit event coordinators for all vacant standing committees.
- Take photographs at all PTO events to post on the PTO web page and/or in private PTO Facebook group.
- One leadership team member will be assigned to each committee to supervise and assist the event coordinator. Committee director will ensure that event coordinator
  - Plans and organizes all details related to the proposed event.
  - With volunteer help, sees event through to completion.
  - Coordinates work of all volunteers.
  - Oversees all details of event from conception to clean up.
  - Balances budget for event. Family events are not fundraisers, but should be self-supporting. Admission fees and any additional income generated

at the event (e.g. sale of baked goods, etc.) should cover the cost of the event.

- Publicizes events by sending out notices to parents, putting up signs and posters around school, etc.
- Maintain a physical or electronic binder with all information relevant to the leadership position to be passed to successor. Include all relevant notices, memos, budget information, etc. produced while executing duties of leadership position.

## **Voting & Elections:**

**January:** Open nominations will be announced at the January PTO meeting. Nominations can be communicated verbally, email to all PTO board members, or through a PTO board maintained google doc. Two weeks after nominations the applicants can submit questions regarding positions.

- Nominee Requirements:
  - Have a student attending Elm Creek Elementary for the school year for the term they wish to serve.
  - Give consent to serve can be nominated.
  - Passed volunteer background checks.
  - Conduct themselves in a manner that reflects the purpose, mission, and values of the ECE PTO (honor, integrity, solid moral values, compassion).
- Denial of Nominee- The PTO board and/or Principal have the ability to deny a nominee by majority vote if they feel that the nominee does not meet the criteria as stated above or has not conducted themselves in a manner that reflects the purpose or values of the ECE PTO (honor, integrity, solid moral values, compassion). Communication of the denial of the nominee must be made verbally from the sitting President and principal to the nominee, and must be followed up with an email notification.

**February:** applicants can do a short presentation about their vision and qualifications for the role.

**March:** voting will be held by paper ballot at the general PTO meeting in person, only one member per household is allowed to vote. Ballots will be counted by the principal of EC and the PTO board president.

**Assuming Duties Following Elections:** Newly elected PTO Board members shadow those currently serving in the role at the beginning of April. Leadership transition takes place in June, with the new leader serving in the role early July. The final action of the exiting PTO board members will be transferring of email, web properties, and bank accounts after the new fiscal year starts July 1.

**Vacancies:** If there is a vacancy in the President role, the Vice President will become the President. At the next regularly scheduled general PTO meeting, a new Vice President will be elected. If there is a vacancy in any other leadership position, current members will fulfill the duties of the vacant position until an election can be held at the next general PTO meeting OR at the next.

**Removal from Leadership Position:** A leadership team member may be removed for not fulfilling his/her executive duties as deemed by the PTO board. If the need should arise for the dismissal of a PTO board member or committee member during his/her term, an appropriate special committee shall be formed. The special committee shall consist of the members of the PTO board and the school principal or designee (excluding any organization officer or committee member under review for dismissal). The special committee shall objectively evaluate the circumstances and shall submit a report, and if necessary, a resolution for dismissal to the presiding leadership team member. If a resolution is presented, the person can be removed by a two-thirds vote of those present at a meeting where notice has been given.

Communication of removal of the PTO board member must be made verbally from the sitting President and principal to the nominee, and must be followed up with an email notification.

## **General PTO Meetings**

**Meetings:** The ECE PTO shall have monthly general meetings during the year. Date, place, and time to be determined by the leadership team. Canceling meetings can be done by a majority vote from the board due unforeseen circumstances (weather, illness, etc). Rescheduling of meetings do not need to happen; any issues needing immediate attention to be facilitated by a meeting of board members and/or committee directors.

**Agenda:** All items to be discussed at the meetings will be presented as an agenda



in advance of the monthly general PTO meeting.

**Voting:** A majority vote by the attending members shall be required to take action on items presented at general PTO meetings.

## **Special Committees**

**Special Committees:** The President or the PTO board may create special committees. Special committees shall be created for a specific time and/or task and shall cease to exist when that time has expired or task has been completed, or on the final school day of each year, whichever occurs first. The President, subject to the approval of the PTO board, shall appoint the coordinators of all special committees. The special committee coordinator shall report the plans and activities of the committee to the PTO board, who must approve all such reports.

## **Online Presence**

**Facebook:** Elm Creek PTO group is a private group to provide an extra layer of security for Elm Creek students.

- **Administrators** - PTO board members are the administrators of Elm Creek PTO private group. Board may agree to assign another PTO member to administer the Elm Creek PTO group.
- **Content** - Posts must be relevant to ECE PTO events. Posts to the page must be approved by a PTO board member. Inappropriate comments in response to posts to be deleted.
- **Membership** - Group administrators to approve or deny requests to join the group after verifying the requestor's affiliation to Elm Creek. If the requester's affiliation to Elm Creek is in question, a group administrator will message the individual via Facebook or ask Elm Creek office staff about the individual's affiliation with Elm Creek. Group members are subject to removal from the page at the discretion of a group administrator.
- **Pictures** - Pictures of students do not need to be altered (face blurred, name tag blurred) before being posted.

**Web Page:** Information pertinent to families, EC staff, and the community are to be available on the PTO web page. The ECE PTO will comply with Elm Creek's rules regarding posting pictures of students.

## **Financial Policies and Procedures**

**Fiscal Year:** July 1 - June 30

**Budget:** The board shall approve and then present a budget of anticipated revenue and expenses for the new school year to the membership at the first general PTO meeting of the year. This budget shall be used to guide the activities of the board during the school year. Any deviation from the budget must be approved in advance by the PTO board.

**Accounts:** All funds of the organization shall be kept in banking accounts as agreed upon by the PTO board.

- The checking account shall have a reserve of the current year's budget
- The saving account shall have
  - No less than the amount required to pay agreed upon portion of volunteer coordinator salary and insurance for the upcoming school year.

### **Bank Statements**

- Bank statements are available electronically. If paper copy is requested, it must be mailed directly to Elm Creek Elementary School, not to an individual's home.
- Bank statements will be reviewed and reconciled monthly by the Treasurer.
- Online review of bank account activity is available to all PTO board members. No other online services are available.

**Financial Statements:** Treasurer will prepare financial reports and present at general PTO meetings monthly. Financial report will be posted to the PTO web page, on Facebook, and via email along with meeting notes.

**Deposit of Funds:** All funds handled by the PTO must be counted and recounted by two PTO board members. All funds must be kept in secure location within the school until a PTO board member is able to deposit the funds into the PTO bank account. All deposits shall be made within seven business days of the receipt of funds.

**Disbursement of Funds:** All disbursed funds must be properly approved by a majority of PTO board members via PTO Fund and Reimbursement Request Forms. Forms must include a copy of the original invoice/receipt. All forms received to be stored on the PTO Google Drive and accessible to all PTO board members.

All disbursed funds must be matched to a budget item and/or be approved via PTO board email or at a PTO board meeting.

**Federal Tax Form 990:** Treasurer or independent accountant to prepare and file federal tax form 990 annually.

### **Financial Review or Audit**

- The Treasurer shall submit a final report with all receipts, bank statements, checkbook and canceled checks for financial review or audit at the end of his/her term or as requested by the PTO board.
- The PTO board may find a qualified person or create a group to perform a financial review or audit.
  - A report of the findings from the financial review or audit must be presented to the PTO board before the beginning of the next school year.

**Liability Insurance Policy:** Treasurer to renew liability insurance policy annually with PTO Today and provide proof of payment to the PTO board, and provide proof of insurance to the school district.

**Loans:** No loans shall be made by the organization to its PTO board members, committee members, or to any other person.

**Credit Cards:** No credit card applications shall be made by the organization to its PTO board members, committee members, or to any other person.

**Obligations:** The PTO board may authorize any member to enter into contracts or agreements for the purchase of materials or services on behalf of the organization. PTO board members shall not have the authority, however, to enter into such agreements on behalf of Elm Creek Elementary School or Osseo Area School District, nor should they hold themselves out as having such authority.

**Dissolution:** Upon dissolution of Elm Creek PTO, after paying or adequately providing for the debts, disbursements, and obligations of this organization, the remaining assets shall be distributed to Elm Creek Elementary School for educational purposes. If Elm Creek Elementary School ceases to exist, remaining Elm Creek PTO assets shall be distributed for one or more exempt purposes at the discretion of the leadership team within the meaning of Section 501(c) (3) of the U.S. Internal Revenue Code, or corresponding section of any future U.S. federal tax code, or shall be distributed to the U.S. federal government, or to a state or local

government, for a public purpose.

## **Conflict of Interest Policy**

**Purpose:** The purpose of the conflict of interest policy is to protect this tax-exempt organization's interest when contemplating entering into a transaction or arrangement that might benefit the private interest of an officer or director of the organization or might result in a possible excess benefit transaction. This policy is intended to supplement but not replace any applicable state and federal laws governing conflict of interest applicable to nonprofit and charitable organizations.

### **Definitions**

1. **Interested Person** - Any director, principal officer, or member of a committee with leadership-delegated powers who has a direct or indirect financial interest, as defined below, is an interested person.

#### **2. Financial Interest**

- An ownership or investment interest in any entity with which the organization has a transaction or arrangement.
- A compensation arrangement with the organization or with any entity or individual with which the organization has a transaction or arrangement.
- A potential ownership or investment interest in, or compensation arrangement with, any entity or individual with which the organization is negotiating a transaction or arrangement.
- Compensation includes direct and indirect remuneration as well as gifts or favors that are not insubstantial.
- A financial interest is not necessarily a conflict of interest. A person who has a financial interest may have a conflict of interest only if the PTO board decides that a conflict of interest exists.

### **Procedures**

1. **Duty to Disclose** - In connection with any actual or possible conflict of interest, an interested person must disclose the existence of the financial interest and be given the opportunity to disclose all material facts to the PTO board and members of committees with leadership-delegated powers who are considering the proposed transaction or arrangement.

2. **Determining Whether a Conflict of Interest Exists** - After disclosure of the financial interest and all material facts, and after any discussion with the interested person, he/she shall leave the PTO board or committee meeting while the determination of a conflict of interest is discussed and voted upon. The

remaining PTO board or committee members shall decide whether a conflict of interest exists.

### **3. Procedures for Addressing the Conflict of Interest**

- An interested person may make a presentation at the PTO board or special committee meeting, but after the presentation, he/she shall leave the meeting during the discussion of, and the vote on, the transaction or arrangement involving the possible conflict of interest.
- The President of the PTO board or special committee shall, if appropriate, appoint an impartial person or committee to investigate alternatives to the proposed transaction or arrangement.
- After exercising due diligence, the PTO board or special committee shall determine whether the organization can obtain, with reasonable efforts, a more advantageous transaction or arrangement from a person or entity that would not give rise to a conflict of interest.
- If a more advantageous transaction or arrangement is not reasonably possible under circumstances not producing a conflict of interest, the PTO board shall determine by a majority vote of the impartial person or committee whether the transaction or arrangement is in the organization's best interest, for its own benefit, and whether it is fair and reasonable. In conformity with the above determination, it shall make its decision as to whether to enter into the transaction or arrangement.

### **4. Violations of the Conflict of Interest Policy**

- If the PTO board or special committee has reasonable cause to believe a member has failed to disclose actual or possible conflicts of interest, it shall inform the member of the basis for such belief and afford the member an opportunity to explain the alleged failure to disclose.
- If, after hearing the member's response and after making further investigation as warranted by the circumstances, the PTO board or special committee determines that the member has failed to disclose an actual or possible conflict of interest, it shall take appropriate disciplinary and corrective action.

**Record of Proceedings:** The minutes of the PTO board and special committee with board delegated powers shall contain:

1. The names of the persons who disclosed or otherwise were found to have a financial interest in connection with an actual or possible conflict of interest; the nature of the financial interest; any action taken to determine whether a conflict

of interest was present; and the PTO board or special committee's decision as to whether a conflict of interest in fact existed.

2. The names of the persons who were present for discussions and votes relating to the transaction or arrangement; the content of the discussion; including any alternatives to the proposed transaction or arrangement; and a record of any votes taken in connection with the proceedings.

### **Compensation**

1. A voting member of the PTO board who receives compensation, directly or indirectly, from the organization for services is precluded from voting on matters pertaining to that member's compensation.
2. A voting member of any committee whose jurisdiction includes compensation matters and who receives compensation, directly or indirectly, from the organization for services is precluded from voting on matters pertaining to that member's compensation.
3. No voting member of the PTO board or any committee whose jurisdiction includes compensation matters and who receives compensation, directly or indirectly, from the organization, either individually or collectively, is prohibited from providing information to any committee regarding compensation.

**Periodic Reviews:** To ensure that the organization operates in a manner consistent with charitable purposes and does not engage in activities that could jeopardize its tax-exempt status, periodic reviews shall be conducted. The periodic reviews shall, at a minimum, include the following subjects:

1. Whether compensation arrangements and benefits are reasonable, are based on competent survey information, and are the result of arm's length bargaining.
2. Whether partnerships, joint ventures, and arrangements with management organizations conform to the organization's written policies, are properly recorded, reflect reasonable investment or payments for goods and services, further charitable purposes, and do not result in impermissible private benefit, or an excess benefit transaction.

**Use of Outside Experts:** When conducting the periodic reviews, the organization may, but need not, use outside advisers. If outside experts are used, their use shall not relieve the PTO board of its responsibility for ensuring that periodic reviews are conducted.

**Review of Bylaws:** Bylaws should be reviewed by the PTO board annually, and amended every three years, or as circumstances necessitate.