



Elm Creek PTO Bylaws

Name

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

Purpose

The purpose of this organization is to encourage parents 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.

Membership

General Membership: Any parent, guardian, or other adult standing in loco parentis for a student attending Elm Creek Elementary school may be a member and shall have voting rights.

Faculty Membership: The principal and any employed staff member of Elm Creek Elementary may be a member and shall have voting rights.

Leadership Team Members and Elections

Leadership Team Members: Leadership team members shall consist of President, Vice President, Secretary, and Treasurer. One individual may serve as President and Secretary and one individual may serve as Vice President and Treasurer if unable to fill all positions.

Elections: Election to take place in the event that a leadership team member leaves his/her position or if the leadership position is contested by another PTO member. Leadership members shall be nominated by voice vote at the second to last general PTO meeting of the school year. A secret ballot vote will then be taken at the last general PTO meeting to determine the newly appointed leadership team members. President to abstain from voting, except in the event of a tie-breaker.

- Nominee- Nominee must have a student attending Elm Creek Elementary Only a nominee that has consented to serve can be nominated.

- Denial of Nominee- The PTO leadership team 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 EC PTO (honor, integrity, solid moral values, compassion)

Assuming Duties Following Elections: Newly elected leadership team members assume duties on the first day of the fiscal year following the election.

Vacancies: If there is a vacancy in the leadership position of President, 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 leadership team 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 leadership team meeting.

Removal from Leadership Position: A leadership team member may be removed for not fulfilling his/her executive duties as deemed by the leadership team. If the need should arise for the dismissal of a leadership team 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 leadership team 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.

Duties of Leadership Team Members

Basic Duties of Leadership Team Members: Duties and responsibilities of each leadership team member may be delegated to another leadership team member as determined by an agreement within the leadership team.

- Support the objectives of the EC 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 PTO web page and/or in private PTO Facebook group.
- Reserve facilities and obtain permits through the school district for any meeting or event that takes place after school hours on the school campus.
- Maintain and update Elm Creek PTO web page.

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- One leadership team member will be assigned to each committee to supervise and assist the event coordinator. Leadership team member will ensure that event coordinator
 - Plans and organizes all details related to 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 event (e.g. sale of baked goods, etc.) should cover the cost of the event.
 - Publicizes event 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.

Leadership Team

Leadership Team Members: The leadership team consists of President, Vice President, Secretary, and Treasurer.

General Powers: The affairs, activities, and operation of the organization shall be managed by the leadership team. The duties of the leadership team shall be to

- Transact necessary business during the intervals between general PTO meetings.
- Create standing and special committees.
- Appoint coordinators for standing committees.
- 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.

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

President

- Attend all PTO board, leadership, and 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 leadership team meetings to plan events for the upcoming school year.
 - Work with leadership team members to prepare 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 leadership team members and PTO committees, as needed.
 - Review and approve all financial requests submitted to PTO.
 - Review all funding proposals with the leadership team. Prepare recommendations to submit to PTO membership.
 - Preside over meetings of the organization and leadership team.
 - Meet with 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.
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- Manage ecepto.org website.
 - Write checks and disburse funds in accordance with the budget approved by the PTO board.
 - Cosign checks for fund disbursement.
 - Manage permits
 - Initiate ways to improve PTO events and the way PTO functions on an as-needed basis.

Vice President

- Attend all PTO board, leadership, and general PTO meetings.
 - Work with leadership team members to prepare annual operating budget for the PTO during the summer.
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- Advise, direct, and review the work of other leadership team members and PTO committees directors
 - Ensure directors fill out event documents (planning and follow-up)
 - 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 leadership team
- Review and approve communication (social media, peachjar, etc.)
- 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 leadership team.

Secretary

- Attend and take minutes at each PTO board, leadership, and general PTO meeting.
- Work with leadership team members to prepare annual operating budget for the PTO during the summer.
- Transcribe and distribute copies of meeting minutes to all leadership team members within one week of meeting.
- Maintain list of all leadership team members, including names, phone numbers, addresses, and personal email addresses. Distribute to all leadership team members.
- Update and maintain PTO bulletin board in school's main lobby, change monthly.
- Ensure update and replacement of fliers for next pto meeting, (at volunteer check-in kiosk, at PTO meetings and events, etc.)
- Manage social media content calendar with up to 2 posts per day (can assign other team members to post)
- Prepare newsletter or calendar of PTO events and activities at Elm Creek.
- Send thank you notes to all PTO guest speakers after each meeting.
- Send thank you notes for donations
- Send out and/or post reminder notices to all parents about upcoming PTO meetings (social media and email list).

Treasurer

- Attend all PTO board, leadership, and general PTO meetings.
- Work with board members to prepare 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 board when request for funds form is submitted.
- Manage the checkbook, distribute checks to pres/VP 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.
- Present PTO financial affairs report at each general PTO meeting. DO WE NEED THIS ONE, SINCE WE HAVE BULLET NUMBER 3? I DON'T THINK SO, BUT WANTED TO MAKE SURE...
- Provide updated report to staff members on the status of their expenses, as requested.
- Advise PTO President and IBOARD on PTO financial matters.
- Assist coordinators of PTO events in setting up a cash box for their event.
- Arrange for review of financial records according to bylaws.

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

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

Meetings

Meetings: The EC PTO shall have up to three general meetings during the year at intervals timely to the performance and functions of the PTO. Subject to change with change in school environment or learning model. Date, place, and time to be

determined by the leadership team.

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

Robert's Rules of Order: The leadership team is encouraged to conduct meetings using Robert's Rules of Order.

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

Committees

Committees: The leadership team may establish such standing committees as it deems necessary and advisable. The leadership team shall appoint coordinators for all standing committees. The coordinator of each committee shall recruit members for his/her committee. Any voting member may serve as a committee member. The coordinator shall report the plans and activities of the committee to the leadership team.

Special Committees: The President or the leadership team 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 leadership team, shall appoint the coordinators of all special committees. The coordinator shall report the plans and activities of the committee to the leadership team, who must approve all such reports.

Committee Coordinator: The committee coordinator shall report the plans and activities of the committee to the leadership team 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 coordinator.

Online Presence

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

- Administrators - Leadership team members are the administrators of Elm Creek PTO private group. Leadership team members may agree to assign another PTO member to administer the Elm Creek PTO group.

- Content - Posts must be relevant to EC PTO. Posts to the page must be approved by a group administrator. Negative 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 requestor'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. Pictures of students not permitted on web page unless written consent from students' guardians are obtained.

Financial Policies and Procedures

Fiscal Year: July 1 - June 30

Budget: The leadership team 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 leadership team during the year. Any deviation between \$0 and \$2,000 from the budget must be approved in advance by the leadership team. Any substantial deviation from the budget over \$2,000 must be approved in advance by the general EC PTO members.

Accounts: All funds of the organization shall be kept in banking accounts as agreed upon by the leadership team.

- The checking account shall have a reserve of the current year's budget plus two percent.
- The saving account shall have
 - No less than the amount required to pay agreed upon portion of volunteer coordinator salary.
 - No more than \$10,000, unless funds are being set aside for a project agreed upon by the PTO membership.

Bank Signature Cards: To be updated annually at the beginning of the new fiscal year, as needed.

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 leadership team members. No other online services are available.

Financial Statements: Treasurer will prepare financial reports on a quarterly basis to be presented at general PTO meetings. Financial report will be posted to the PTO web page.

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

Disbursement of Funds: All disbursed funds must be properly approved with signature of one leadership team member on Check Request Form or Reimbursement Request Form. Forms must include a copy of the original invoice/receipt or a completed Missing Receipt Affidavit Form. All forms received to be scanned into PTO Google Drive and accessible to all leadership team members.

All disbursed funds must be matched to a budget item and/or be approved at a meeting of the leadership team or at a general PTO 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, and canceled checks for financial review or audit at the end of his/her term or as requested by the leadership team.
- The leadership team 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 leadership team 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 insurance to school district.

Loans: No loans shall be made by the organization to its leadership team members, members, or to any other person.

Obligations: The leadership team may authorize any leadership team member to enter into contracts or agreements for the purchase of materials or services on behalf of the organization. The leadership team member 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 EC 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 EC 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 it is 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 team-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 leadership team or committee 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 leadership team and members of committees with leadership team-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 leadership team or committee meeting while the determination of a conflict of interest is discussed and voted upon. The remaining leadership team 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 leadership team or 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 coordinator of the leadership team or committee shall, if appropriate, appoint a disinterested person or committee to investigate alternatives to the proposed transaction or arrangement.
 - After exercising due diligence, the leadership team or 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 leadership team or committee shall determine by a majority vote of the disinterested directors 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 leadership team or 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 leadership team or 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 leadership team and all committees 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 leadership team's or 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 leadership team 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 leadership team 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 inurement, 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 leadership team of its responsibility for ensuring that periodic reviews are conducted.