

Asheville Middle School Parent-Teacher Organization Bylaws

ARTICLE I: NAME

The name of this association is the Asheville Middle School Parent-Teacher Organization ("PTO").

ARTICLE II: PURPOSES

Section 1. The Objects of the organization are:

- a. To promote the welfare of children and youth in home, school, and community.
- b. To bring into closer relation the home and the school, that parents, guardians and teachers may cooperate intelligently in the education of children and youth.
- c. To develop between educators and the general public such united efforts as will secure for all children and youth the highest advantages in physical, mental, and social education.

Section 2. The organization is organized exclusively for the charitable, scientific, literary, or educational purposes within the meaning of Section 501(c)(3) of the Internal Revenue Code or corresponding Section of any future Federal tax code (hereinafter "Internal Revenue Code").

ARTICLE III: BASIC POLICIES

The following are the basic policies of this organization:

- a. The organization shall be noncommercial, nonsectarian and nonpartisan.
- b. The name of the organization or the names of any members in their official capacity shall not be used to endorse or promote a commercial concern or in connection with any partisan interest or for any purpose not appropriately related to promotion of the Objects of the organization.
- c. The organization shall not - directly or indirectly - participate or intervene (in any way, including the publishing or distributing of statements) in any political campaign on behalf of, or in opposition to, any candidate for public office; or devote more than an insubstantial part of its activities to attempting to influence legislation by propaganda or otherwise.
- d. The organization shall work with the school to provide quality education for all children and youth, and shall seek to participate in the decision-making process establishing school policy, recognizing that the legal responsibility to make decisions has been delegated by the people to boards of education.
- e. The organization may cooperate with other organizations and agencies concerned with child welfare, but persons representing this organization in such matters shall make no commitments that bind this organization.
- f. No part of the net earnings of the organization shall inure to the benefit of, or be distributable to its members, directors, trustees, officers or other private persons except that the organization shall be authorized and empowered to pay reasonable compensation for services rendered and to make payments and distributions in furtherance of the purposes set forth in Article III hereof.
- g. Notwithstanding any other provision of these articles, the organization shall not carry on any other activities not permitted to be carried on (i) by any organization exempt from Federal income tax under Section 501(c)(3) of the Internal Revenue Code, or (ii) by an organization, contributions which are deductible under Section 170(c)(2) of the Internal Revenue Code.
- h. Upon the dissolution of this organization, after paying or adequately providing for the debts and obligations of the organization, the remaining assets shall be distributed to one or more non-profit funds, foundations, or organizations which have established their tax exempt status under Section 501(c)(3) of the Internal Revenue code.

ARTICLE IV: MEMBERSHIP AND DUES

Section 1. Membership in this PTO shall be made available to any individual who subscribes to the Objects and basic policies of this organization, without regard to race, color, creed or national origin.

Section 2. The organization shall conduct an annual enrollment of members, but persons may be admitted to membership at any time.

Section 3. Each member of this organization shall pay annual dues, amount to be determined by executive committee.

Section 4. Only members of this organization shall be eligible to participate in the business meetings or to serve in

any of its elective or appointive positions.

ARTICLE V: OFFICERS AND THEIR ELECTION

Section 1. Each officer of this PTO shall be a member of this PTO.

Section 2. Officers and their election:

- a. The officers of this organization shall consist of a president, vice president, immediate past president (when possible), secretary and treasurer.
- b. Officers shall be elected by ballot annually at the last meeting of the school year. However, if there is but one nominee for any office, election for that office shall be by voice vote.
- c. Officers shall assume their official duties following the close of the last scheduled meeting and shall serve for a term of one year or until their successors are elected.

Section 3. Nominating committee:

- a. There shall be a nominating committee composed of three members who shall be elected by the organization at a regular meeting at least one month prior to the election of officers. The committee shall elect its own chairperson.
- b. The nominating committee shall nominate an eligible person for each office to be filled and report its nominees at the last meeting of the school year. Additional nominations may be made from the floor at the election meeting.
- c. Only those persons who have signified their consent to serve if elected shall be nominated for or elected to such office.
- d. No member shall automatically serve on this committee because of his/her office in the school system.
- e. The president does not serve as a member of this committee, nor does he/she appoint any member of the committee.

Section 4. Vacancies:

A vacancy occurring in any office shall be filled for the unexpired term by a person elected by a majority vote of the executive committee, notice of such election having been given. In case a vacancy occurs in the office of president, the vice president shall serve notice of the election.

Section 5. Reasons to remove:

By a 2/3 vote of the executive committee an officer or chairperson may be removed from office for failure to perform duties.

ARTICLE VI: DUTIES OF OFFICERS

Section 1. The president shall preside at all meetings of the organization and of the executive committee; shall perform such other duties as may be prescribed in these bylaws or assigned to him/her by the organization or by the executive committee; and shall coordinate the work of the officers and committees of the organization in order that the Objects may be promoted.

Section 2. The vice president shall act as aide to the president and shall perform the duties of the president in the absence or inability of that officer to act.

Section 3. The secretary shall record the minutes of all meetings of the organization and of the executive committee and shall perform such other duties as may be delegated.

Section 4. The treasurer shall have custody of all funds of the organization; shall keep a full and accurate account of the receipts and expenditures; and in accordance with the budget adopted by the organization, shall make disbursements as authorized by the president, executive committee, or organization. The treasurer shall present a financial statement at every meeting of the organization and at other times when requested by the executive committee and shall make full report at the meeting at which new officers officially assume their duties. The treasurer shall be responsible for the maintenance of such books of account and records.

The treasurer's accounts shall be examined annually by an auditing committee of not less than three members, who, satisfied that the treasurer's annual report is correct, shall sign a statement of that fact at the end of the report. The auditing committee shall be selected by the executive committee prior to the regular April executive board meeting.

Section 5. All officers shall:

- a. perform the duties prescribed in the parliamentary authority in addition to those outlined in

- these bylaws and those assigned from time to time.
- b. Deliver to their successors all materials detailing their job descriptions not later than 10 days following the meeting at which new officers assume their duties.

ARTICLE VII: EXECUTIVE COMMITTEE

Section 1. The executive committee shall consist of the officers of the organization, the chairpersons of standing committees, and the principal of the school or a representative appointed by him/her. The chairpersons of the standing committees shall be selected by the president of the organization.

Section 2. The duties of the executive committee shall be (a) to transact necessary business in the intervals between organization meetings and such other business as may be referred to it by the organization; (b) to create standing and special committees; (c) to approve the plans of work of the standing committees; (d) to select an auditing committee to audit the treasurer's accounts; (e) to prepare and submit to the organization for adoption a budget for the fiscal year; and (f) to approve routine bills within the limits of the budget.

Section 3. Regular meetings of the executive committee shall be held during the year, the time to be fixed by the committee at its first meeting of the year. Special meetings of the executive committee may be called by the president or by a majority of the members of the committee.

Section 4. A majority of the executive committee members shall constitute a quorum.

ARTICLE VIII: MEETINGS

Section 1. Regular meetings of this organization shall be held at least three (3) times during the school year.

Section 2. Special meetings of the organization may be called by the president or by a majority of the executive committee, ten (10) days notice having been given.

Section 3. The election meeting shall be held at the last meeting of the school year.

Section 4. Twenty (20) members shall constitute a quorum for the transaction of business in any meeting of this organization.

ARTICLE IX: STANDING AND SPECIAL COMMITTEES

Section 1. Only members of the organization shall be eligible to serve any elective or appointive position.

Section 2. The executive committee may create such standing committees as it may deem necessary to promote the Objects and carry on the work of the organization. The term of each chairperson shall be one (1) year or until election of his/her successor.

Section 3. The chairperson of each standing committee shall present a plan of work to the executive committee for approval. No committee work shall be undertaken without the consent of the executive committee.

Section 4. The power to form special committees and appoint their members rests with the executive committee.

Section 5. The president shall be a member ex officio of all committees except the nominating committee.

ARTICLE X: FISCAL YEAR

Section 1. The fiscal year of this organization shall begin July 1 and end June 30.

Section 2. An auditing committee shall be appointed by the executive committee. The auditing committee shall report to the executive committee at the first scheduled meeting of the school year.

ARTICLE XI: PARLIAMENTARY AUTHORITY

The rules contained in the current edition of Robert's Rules of Order Newly Revised shall govern the organization in all cases in which they are applicable and in which they are not in conflict with these bylaws.

ARTICLE XII: AMENDMENTS

Section 1.

- a. These bylaws may be amended at any regular meeting of the organization, provided a quorum is present, by a two-thirds (2/3) vote of the members present and voting. Notice of the proposed amendment shall have been given at the previous meeting or 30 days prior to the meeting at which the amendment is voted upon.
- b. A committee may be appointed to submit a revised set of bylaws as a substitute for the existing bylaws only by a majority vote at a meeting of the organization, or by a two-thirds (2/3) vote of the executive committee. The requirements for adoption of a revised set of bylaws shall be the same as in case of an amendment.

Adopted May 28, 1994
Amended and modified May 8, 2003