

By-Laws of the Cold Spring School / Swift River Elementary Parent Teacher Organization – CSS/SRE PTO

Approved May 25, 2006
Amended April 10, 2007

I. NAME

1. The name of the organization shall be the Cold Spring School / Swift River Elementary Parent Teacher Organization (CSS/SRE PTO)
2. The CSS/SRE PTO shall operate in the Town of Belchertown, in the County of Hampshire, in the Commonwealth of Massachusetts.

II. PURPOSE

1. The purpose of the CSS/SRE PTO is to support and enhance the education of the children at the Cold Spring Early Childhood Center and the Swift River Elementary School by fostering a spirit of cooperation and promoting open communication between families and staff of the schools.
2. The CSS/SRE PTO is organized exclusively for educational purposes such as those organizations that qualify as exempt under section 501 (c) (3) of the Internal Revenue Code, or the corresponding section of any future federal tax code.
3. The CSS/SRE PTO shall not participate in nor fund propaganda, nor otherwise attempt to influence legislation or any political campaign on behalf of or in opposition to any candidate for public office. At PTO meetings, issues directly related to the educational experience of the children of the Cold Spring School / Swift River Elementary school and/ or the Town of Belchertown School District may be discussed; however, the CSS/SRE PTO shall not take any official position nor encourage any specific action on the part of its members.

III. MEMBERSHIP

1. Members

- a. All parents and /or Legal Guardians of current Cold Spring School and Swift River Elementary students enrolled in full time or half day academic programs and all current paid employees of the Cold Spring School / Swift River Elementary are Regular Members of the CSS/SRE PTO.
 - b. Regular members have the right to attend and participate in all public meetings and activities of the CSS/SRE PTO.
 - c. Members of the community who do not qualify for Regular membership may be associate members. Associate members may not vote or hold office.
2. Voting. Every Regular Member in attendance at CSS/SRE PTO meetings shall be eligible to vote.
 3. Membership Dues. The CSS/SRE PTO accepts dues from members, but these dues are not mandatory. The dues collected are used for the operation of the organization.
 4. Privacy. A member's address, phone number, and email address may only be used with permission and for PTO business only.

IV. MEETINGS

1. Regular PTO Meetings
 - a. There shall be a minimum of 3 Regular PTO Meetings per year. The time to be established by the Co-Presidents and the Principal at the end of each year for the following year.
 - b. The schedule of the Regular PTO Meetings shall be announced at the beginning of each year.
 - c. At Regular PTO Meetings, normal business of the CSS/SRE PTO shall be conducted.
2. Special PTO Meetings
 - a. When voted by the Executive Board or authorized by a petition of at least 15 Regular Members, a Special PTO Meeting shall be called.
 - b. The time, place and purpose of all Special PTO Meetings shall be announced at least seven days prior to the meeting with public notice e.g. Channel 5, Web site, and The Sentinel if time allows.
 - c. The only business to be conducted during a Special PTO Meeting shall be directly related to the purpose stated when the meeting was announced.
3. Executive Board Meetings
 - a. Executive Board Meetings shall be called as needed by the Executive Board to vote on PTO business or take other action that cannot wait until a Regular PTO Meeting.
 - b. Only Members of the Executive Board shall be eligible to vote at Executive Board Meetings.
 - c. Regardless of the number of Executive Board Members in attendance or participating at an Executive Board Meeting, the vote of at least three Executive Board Members shall be required to take action on behalf of the CSS/SRE PTO.
 - d. Results of Executive Board Meetings shall be reported at the next Regular PTO Meeting.
4. Quorum. The Regular Members of the CSS/SRE PTO present at a Regular PTO Meeting or Special PTO Meeting shall be designated as a quorum and shall be entitled to take action on behalf of the organization.
5. Voting. Unless otherwise dictated in these by-laws, a simple majority vote of the members present at any meeting shall be required for all action to be taken by the organization.
6. Robert's Rules of Order shall be used to structure and govern the Regular and Executive Meetings of the CSS/SRE PTO.

V. EXECUTIVE BOARD

1. Members of the Executive Board shall be the officers, all Chairs of Standing Committees as established by these by-laws, one Teacher Liaison from each school and the Principal.
2. Meetings of the Executive Board shall be held as needed, minimally once per month during the school year.
 - a. Only Members of the Executive Board shall be eligible to vote at Executive Board Meetings.

- b. All Executive Board Meetings are open to the members and will be publicized on the PTO Web site.
- c. At least three Executive Board Members must be present to conduct business. A majority vote of 2/3 shall be required to take action on behalf of the CSS/SRE PTO.
- d. Minutes of Executive Board Meetings shall be posted on the the Web site within 14 days and also reported at the next Regular Meeting of the PTO.

VI.OFFICERS

- 1.The Officers Positions of the CSS/SRE PTO shall consist of two Co-Presidents, Secretary, and Treasurer.
2. Responsibilities
 - a. The primary responsibilities of the Co Presidents shall be:
 - e. To serve as the principal executive officer of the organization.
 - f. To supervise, facilitate and direct all of the activities of the organization, subject to the control of the Executive Board and the direction of the membership.
 - g. To preside at all meetings of the Executive Board and all meetings of the membership.
 - h. To be the liaison between the CSS/SRE PTO and the School District Administration.
 - i. To prepare the agenda for each formal meeting of the CSS/SRE PTO.
 - b. The primary responsibilities of the Secretary shall be:
 - a. To keep accurate minutes of all formal CSS/SRE PTO meetings and to distribute them to all Officers and the Principal within two weeks of each meeting and post them on the Web site.
 - b. To keep track of and report correspondence received by the CSS/SRE PTO such as Teacher Request and thank you notes.
 - c. To keep a copy of all CSS/SRE PTO notices sent to the school community.
 - d. To copy and distribute flyers to schools for distribution to teachers.
 - c. The primary responsibilities of the Treasurer shall be:
 - a. To be responsible for all Accounts Receivable and Accounts Payable for the CSS/SRE PTO.
 - b. To make disbursements as authorized by the Executive Board and or membership in accordance with the budget adopted by the membership.
 - c. To present a written financial report at each Regular PTO Meeting and at other times as requested by the Executive Board.
 - d. To provide an annual financial statement.
 - e. To be responsible for filing all required tax and or financial forms. The Executive Board shall have an opportunity to review and approve these documents before submittal.
 - f. To keep a copy of all request for donations made by the CSS/SRE PTO

3. Obligations

- a. All Officers of the Executive Board shall have authority to enter into contracts, agreements or obligations for the purchase of materials or services on behalf of the CSS/SRE PTO but only within approved activities and budgets.
- b. Neither the Executive Board Officers nor any PTO Member shall have the authority to enter into any contracts, agreements or obligations on behalf of the Cold Spring School or the Swift River Elementary School or the Belchertown School District nor shall they present themselves as having such authority.

VII. ELECTIONS

1. Procedure.

- a. The elections of officers shall take place as the last agenda item during the last Regular PTO Meeting of the year. The offices of 1 Co President and the Secretary shall be elected in even years and the offices of 1 Co President and the Treasurer shall be elected in odd years.
- b. All Regular members of the organization shall be eligible to participate in an election. Only those members in attendance shall be allowed to vote.
- c. Interested persons shall submit a letter of interest for the position they seek. Letters will be posted on the Web site for review. This letter of interest shall be presented at the meeting in which elections will be held.
- d. Each interested person must be nominated at the meeting and seconded.
- e. The election for each office, if non contested, shall be by voice vote. Any contested election shall be by written ballot.

2. Term of Office

- a. The term of each office shall be two years.
- b. A person shall serve in any office for a maximum of two consecutive terms. Said person shall immediately be eligible to serve in a different office.
- c. A person who has served in an office for two consecutive terms shall be ineligible to serve in that office for a period of one year.

3. Eligibility

- a. Eligibility for serving as an Officer of the Executive Board shall be limited to Regular Members.

4. Selection

- a. A majority of the votes cast by the voting members shall be necessary for election.

- b. Should no person receive a majority of the votes cast, a run off between the two persons who received the largest number of votes shall immediately be held.
- 5. Termination. An elected officer may be terminated prior to the end of the term by a majority vote of the Executive Board.
- 6. Vacancies
 - a. The Executive Board shall temporarily fill any vacancy in office.
 - b. An election to fill the unexpired term portion of the term vacancy shall be held at the next Regular PTO Meeting or Special PTO Meeting consistent the procedures established herein.
 - c. For purposes of eligibility, a person who is filling a vacancy shall be considered to have served the full term only if more than half of the term of office remains at the time they fill the position.

VIII. COMMITTEES

1. Definitions

- a. Standing Committee. Standing Committees shall be always staffed. The specific composition and purpose of a standing Committee shall be defined in these By-Laws. The board shall appoint the Chair of a standing committee after request for letters of interest have been received. Only Regular Members may serve as the Chair of a committee. The Chair of each committee shall be appointed in the final CSSR PTO meeting held late Spring to put these members into place for summer preparations . Other members of the Standing Committees will be filled by volunteers from the membership of the PTO.
- b. Continuing Committee. Continuing Committees and their purpose shall be established by a vote of the PTO and shall remain in force until retired by a vote of the PTO. Continuing committees shall be staffed as needed throughout the year, however, they provide continuity from year to year for a specific purpose and or event. The specific composition of each Continuing Committee varies as needed.

2. Standing Committees

- A. The Publicity Committee shall be a Standing Committee
 - a. It's purpose shall be to maintain the PTO Web Site, Produce Edit and distribute the PTO Newsletter, place notices of meetings in the local newspaper and submit to the local newspaper articles highlighting the PTO's activities.
 - b. Membership shall be a minimum of two persons, one being the chair appointed by the Executive Board. The Term shall be for one year.
 - c. The Co Presidents and the School Principal must approve all publicity, newsletters, and flyers.
- B. The Fundraising Committee shall be a Standing Committee
 - a. It's purpose shall be to run at least one fundraising activity per school year.

- b. The Executive Committee, the Principal and the School Council must approve all fundraising plans and their associated budgets.
 - c. Membership shall be a minimum of three persons, one being the chair appointed by the Executive Board. The Term shall be for one year.
- C. The School Spirit Committee shall be a Standing Committee
- a. Its purpose shall be to promote school spirit through the sale of logo apparel and novelties.
 - b. All sales and the items that will be for sale along with the associated Budget must be approved by the Executive Committee, the Principal and the School Council.
 - c. Membership shall be a minimum of three persons, one being the chair appointed by the Executive Board. The Term shall be for one year.
- D. The Teacher and Staff Appreciation Committee shall be a Standing Committee
- a. It's purpose shall be to organize each spring an event to thank the Teachers and staff of the schools.
 - b. The event along with the associated budget must be approved by the Executive Committee and the Principal
 - c. Membership shall be a minimum of three persons, one being the chair appointed by the Executive Board. The Term shall be for one year.
- E. The Membership Committee shall be a Standing Committee
- a. Its purpose will be to organize at least one event per school year that is educational for the parents/guardians of the students. This committee will also serve as the host for all regular meetings and arrange for refreshments at the regular meetings.
 - b. The event along with the associated budget must be approved by the Executive Committee and the Principal
 - c. Membership shall be a minimum of three persons, one being the chair appointed by the Executive Board. The Term shall be for one year.
- F. The Playground Committee shall be a Standing Committee
- a. Its purpose will be to monitor the equipment needs on the playgrounds of Cold Spring School and Swift River Elementary and make annual recommendations to the board for any upgrades, additions or deletion to the equipment.
 - b. The recommendations must be presented with a budget and plans for funding.
 - d. Playground shall be a minimum of three persons, one being the chair appointed by the Executive Board. The Term shall be for one year.
3. Continuing Committees
- a. The PTO Membership may establish by a simple majority vote such Continuing Committees, as it deems necessary and advisable.
 - b. The Executive Board shall appoint the Chairpersons of all Continuing Committees, who shall serve as ex-officio members of the Executive Board. Only Regular Members may serve as Chairpersons.
 - c. The Chairperson of each committee shall recruit the members for their committee as needed.

- d. The length of service for a Chairperson is normally one year, but may vary as determined by the Executive Board.
 - e. For committees that have specific events associated with them, the period of service will typically be from 11 months prior to 1 month after the date of that event.
 - f. The Executive Board will determine and/or review the operating budget submitted by Chairpersons for each Continuing Committee every 12 months or more often as needed or specified. Chairpersons may purchase items or services within the maximum amount specified for budget items as specified, tracking all expenses and submitting receipts for reimbursements.
 - g. The Executive Board shall review all financial transactions and obligations that will exceed the approved budget for the committee. The committee Chairperson shall not execute any financial transaction or obligation that exceeds the approved budget without the approval of the Executive Board.
 - h. If monies are required in advance, the Chairperson may submit a request to the Treasurer describing details of the purchase, submit a funds request, and use that money in the nature described. The Chairperson shall be responsible for obtaining a final receipt, invoice or similar of the monies spent, and returning all unspent money to the Treasurer.
 - i. The Chairperson, Executive Board and the 'Principal shall approve all school flyers and public information notices prior to distribution of the material.
 - j. The Chairperson shall ensure that copies of all written requests for donations from individuals, groups or businesses are submitted to the Corresponding Secretary.
 - k. The Chairperson shall regularly report the plans and activities of the committee to the Executive Board, and to the PTO Membership at Regular PTO Meetings.
 - l. At the request of the Executive Board, the Chairperson shall prepare a final written report of all activities, financials and details of the activities after completion of all outstanding items.
4. Special Committees
- a. The Co-Presidents and /or the Executive Board may create Special Committees as needed and deemed appropriate
 - b. Special Committees shall be created for a specific time and/or task and shall cease to exist when that time or task has been completed.
 - c. In all other ways, the Special Committees shall operate in an identical manner as Standing Committees.
5. Obligations
- a. The Executive Board may delegate authority to enter into contracts or agreements for the purchase of materials or services on behalf of the organization to the Chairperson of a committee and/or to any member of the committee.

b. Any person to whom this authority is delegated shall only be authorized to exercise this authority within the stated purpose of the committee and only within the budget of the committee.

IX. FINANCES

1. Financial Prohibitions

a. As a volunteer organization, the CSS/SRE PTO shall not pay or provide any remuneration to the Officers of the Executive Board, Committee Chairpersons, Committee Members or any other member of the organization for their volunteer service to the organization.

b. There shall be no commingling of CSS/SRE PTO funds with the personal, professional, or business accounts of any individuals, groups or businesses. This shall include a prohibition against providing CSS/SRE PTO funds as a loan to anyone for any purpose.

2. Financial Institution

a. The financial institution used by the CSS/SRE PTO shall be a Federal or State Chartered Bank or Credit Union approved by the Board.

b. The authorized signatures of the account shall be the Co-Presidents and the Treasurer. Any one of these individuals, and only these individuals, are authorized to withdraw funds, write checks, drafts, or other expenditures for the payment of money on behalf of the organization.

d. An authorized disbursement to any of the authorized signatories to the account requires the consent and action of another signatory. For example, the Treasurer cannot write a check made out to the Treasurer — one of the Co-Presidents must sign the check.

d. The Treasurer is responsible for ensuring all monies of the CSS/SRE PTO are deposited in a timely manner into the account.

3. Annual Budget

a. The Fiscal Year shall run from July 1 of one calendar year through June 30 of the next.

b. At the last scheduled Regular PTO meeting of the year, the Treasurer shall prepare and present a proposed budget for the following year. At a minimum, the Budget shall include:

i. Current Balance as of the date of the meeting

ii. Expected and reasonable expenditures through the remainder of the fiscal year.

iii. Reasonable estimates for fundraising activities during the first four months of the new fiscal year. If funds allow, the Treasurer may assume zero fundraising during this period for planning purposes.

iv. A listing of non-discretionary funds committed to the next fiscal year (for example, Scholarship awards committed to the recipients).

v. A listing of recommended discretionary expenditures proposed for the next fiscal year.

- c. The proposed budget must be in balance, meaning the Projected Balance is non-negative.
 - d. The PTO may discuss the proposed budget as needed. Changes to the proposed budget may be made as determined by the discussion.
 - e. The Co-Presidents shall not allow a vote on a proposed Budget that is not in balance.
 - f. Approval of the budget is by majority vote. The PTO must vote to approve a Budget at this meeting.
4. Changing the Approved Budget
- a. The Treasurer shall keep track of actual expenditures vs. budget items.
 - b. The Treasurer shall not reimburse an expense that exceeds the Approved Budget for that budget item.
 - c. A proposal to modify the Approved Budget may be made by any PTO member (including the Treasurer) at any scheduled Regular PTO Meeting. If the majority of the eligible PTO membership votes to accept the proposed change, the Treasurer will update the Approved Budget prior to the next report.
 - d. By majority vote, the Executive Board may, at any time, vote to modify the Approved Budget. This vote shall be included in the Recording Secretary's Report at the next Regular PTO Meeting.
5. Reporting
- a. The Treasurer shall keep track of all actual deposits and expenditures.
 - b. At every Regular PTO Meeting, the Treasurer shall provide a written financial report that the Secretary keeps with the minutes of the meeting. At a minimum, the report shall contain:
 - i. The Closing Balance from the previous Treasurers Report,
 - ii. All income received and deposited since the previous Treasurer's Report, organized by budget item
 - iii. All expenditures made since the previous Treasurers Report, organized by budget item
 - iv. The current Closing Balance
 - v. The remaining balance of all budget items.
 - c. At a minimum of two Regular PTO Meetings each year, the Treasurer shall provide an updated estimate of the end-of-year balance. The estimated end-of-year balance is the current Closing Balance plus the reasonable estimated income from all remaining fundraisers minus all estimated expenditures.
 - d. The Treasurer shall complete an End-Of-Year report of all financial activities within 31 days of the end of the Fiscal Year. A signed original of the report shall be submitted to the Belchertown Superintendent's Office. Additional copies of the report shall be distributed to the Principal of the school and to the other Executive Board members.
 - f. The Treasurer shall be responsible for the timely completion and submittal of any other financial or tax records, reports or forms. The

Executive Board shall review and vote to approve these items prior to submittal.

6. Dissolution

- a. Should the CSS/SRE PTO be dissolved for any reason, the following shall dictate how remaining assets shall be disbursed.
- b. The Treasurer shall be responsible for ensuring all outstanding debts are paid off and adequate time to clear has passed.
- c. The Treasurer shall present an inventory of all remaining assets to the Executive Board.
- d. The Executive Board shall determine how to distribute these assets for one or more exempt purposes within the meaning of section 501 (c)(3) of the Internal Revenue Code, or the corresponding section of any future federal tax code, or shall be distributed to the federal government, or to a state or local government, for a public purpose. Any such assets not so disposed of, shall be disposed of by a court of competent jurisdiction of the county in which the principal office of the CSS/SRE PTO is then located, exclusively for such purposes or to such organization or organizations, as a court shall determine, which are organized and operated exclusively for such purposes.

IX. AMENDMENTS.

1. Definition. An Amendment is any change, addition or subtraction to the wording of any section or subsection of these By-Laws. Procedure
 - a. Any PTO Member may submit a proposed Amendment to this Charter. This submittal shall be in writing and submitted to the Co-Presidents at least 48 hours prior to a scheduled Regular PTO Meeting.
 - b. The Co-Presidents shall be required to bring the proposed Amendment forward at the next scheduled Regular PTO meeting. At this meeting a full reading of the proposed Amendment shall occur. Discussion of the proposed Amendment is encouraged at this first reading, however no vote will be taken.
 - c. At the discretion of the Co-Presidents, a second reading of the proposed Amendment and a vote shall be taken either at the next scheduled Regular PTO Meeting or a Special PTO Meeting. If the vote is to occur at a Special PTO Meeting, it shall be scheduled and widely publicized in accordance with the provisions of Section 4 of this Charter.
 - d. At the second meeting, a full reading and discussion of the proposed Amendment shall occur. This discussion is specifically to include a comment by an appointed Executive Board member (typically the Treasurer) on how any outside organizations with review authority over the Charter may view the proposed Amendment. When the Co-Presidents decide discussion has completed, a vote shall be taken immediately.
 - e. The vote will be taken by show of hands. All Regular Members in attendance, including the Executive Board may vote. The proposed

Amendment will be passed and accepted if at least 2/3 of those eligible and present vote for the Amendment.

3. Approved Amendment

- a. If the proposed Amendment passes, the Secretary shall ensure the change is incorporated into the By-Laws at the earliest opportunity.
- b. The Treasurer shall send approved copies of the new By-Laws to the Superintendent and outside organizations for review as needed, within 30 days of the vote.

4. Defeated Amendment

- a. If the proposed Amendment is defeated, it or any similar proposed Amendment shall be ineligible to be brought to a Regular PTO meeting for at least one year from the date of the defeating vote.
- b. The definition of a similar proposed Amendment shall be at the discretion of the Co- Presidents.

5. Exemption to the Amendment Procedure. As a special exemption to the procedure specified elsewhere in this Section, if the proposed Amendment is brought to the Co- Presidents prior to the next-to-last or last scheduled Regular PTO meeting of the year, the Co-Presidents may, at their own discretion, table the proposed Amendment until the first scheduled Regular PTO meeting of the next year. This is intended to ensure that both readings and the vote occur within a reasonably short period of time, and within the same year.