

BYLAWS
DESERT TRAILS ELEMENTARY SCHOOL
PARENT TEACHER ORGANIZATION

(revised April 15, 2008)

ARTICLE I: NAME

The name of this organization is the DESERT TRAILS ELEMENTARY SCHOOL PARENT TEACHER ORGANIZATION, INC. (the “PTO” or “organization”). It is not directly affiliated with any other group.

This organization is organized exclusively for charitable purposes within the meaning of section 501(c)3 of the Internal Revenue Code.

Notwithstanding any other provision of these Articles, the organization shall not carry on any other activities not permitted to be carried on by an organization exempt from Federal income tax as an organization described in section 501(c)3 of the Internal Revenue Code (or corresponding section of any future federal tax code.)

Upon the dissolution and winding up of this organization, after paying or adequately providing for the debts and obligations of the organization, the remaining assets shall be distributed to a nonprofit fund, foundation, or corporation organized and operated exclusively for the purpose specified in section 501(c)3 of the Internal Revenue Code and which has established its tax-exempt status under that section.

ARTICLE II: OBJECTIVES AND POLICIES

SECTION 1.

The parents, teachers, and the entire school community shall work together to promote an enriched learning environment at Desert Trails Elementary School.

SECTION 2.

The organization shall promote a closer relationship between home and school, so that parents, guardians, and teachers may cooperate and participate in the education of the students.

SECTION 3.

The organization shall organize fund raising activities and other events to support students, teachers, and the total learning environment at Desert Trails Elementary School.

SECTION 4.

The fiscal year shall be July 1 – June 30.

SECTION 5.

There shall be no deficit spending.

ARTICLE III: MEMBERSHIP AND DUES

Any individual who subscribes to the purposes and basic policies of this organization and pays the dues established from time to time by the Executive Board may become a member, subject only to compliance with the provisions of the Bylaws. Membership in this organization shall be available without regard to race, color, creed, or national origin and is open to all parents, heads of households, teachers and administrators of children enrolled in Desert Trails Elementary School.

ARTICLE IV: OFFICERS AND THEIR ELECTION

SECTION 1.

- a. The officers of this organization shall consist of a president, up to five vice-presidents, a secretary, and one treasurer. Each office may be shared by two co-officers and each co-officer shall be allowed one vote each.
- b. Officers shall be elected at the last general meeting of the school year, by a majority of votes cast at that meeting.
- c. For transitional purposes, newly elected officers shall meet jointly with the outgoing officers and board members at the May meeting, and the new officers shall assume their official duties on the first day of the month following the completion of the school year and shall serve for a term of one year or until the election and qualification of their successors.
- d. A person shall not be eligible to serve more than two consecutive terms in the same office unless approved by the current officers.

SECTION 2.

- a. There shall be a nominating committee composed of at least two and up to seven members selected by the Executive Board. The members of the committee will choose the chairman from the committee.
- b. The nominating committee shall nominate one or more eligible persons for each office to be filled and inform each member's household as soon as possible thereafter of the nominees and the date of election. Additional nominations may be made from the floor at the last general meeting during which officers shall be elected.

SECTION 3.

- a. Only those persons who have signified their consent to serve if elected shall be nominated for office, and only those persons affirming a desire to serve shall be candidates for such office.
- b. To qualify for office, a person must be:

1. A member of the organization; and,
2. An adult from a household at which a child resides who is attending Desert Trails Elementary School in the elected year (with the exception of the teacher representatives' position(s)).

SECTION 4.

A vacancy occurring in any office shall be filled for the un-expired term by a person elected by a majority vote of the remaining members of the Executive Board, notice of such election having been given. In case a vacancy occurs in the office of president, the first vice president shall serve until a new president is elected. The failure of an Executive Board member to pay dues by the end of the second Executive Board meeting of the school year shall result in that position being declared vacant.

SECTION 5.

Any officer may be removed by a two-thirds vote of the remaining members present at a general meeting of the organization, provided a quorum is present, or by a majority vote of the Executive Board. The organization shall inform the officer whose removal is sought.

ARTICLE V: DUTIES OF OFFICERS

SECTION 1.

The president shall preside at all meetings of the organization and of the Executive Board, notice of such meeting having been given. The president shall also see that all Executive Board members remain in good standing. The president shall assist all vice presidents with committees when needed.

SECTION 2.

The first vice president presides in the absence of the president (until noted election, Article IV, Section 4), and may oversee fundraising events.

SECTION 3.

The second vice president shall preside in the absence of the president, the second vice-presidents (until noted election, Article III, Section 4), and may oversee family events.

SECTION 4.

The third vice president shall preside in the absence of the president, the second and third vice-presidents (until noted election, Article III, Section 4), and may oversee programs.

SECTION 5.

The fourth vice president shall preside in the absence of the president, the second, third and fourth vice-presidents (until noted election, Article III, Section 4), and may oversee committees as assigned.

SECTION 6.

The secretary shall record the minutes of all meetings of the organization and of the Executive Board, and shall post same, along with meeting agendas, on the PTO Bulletin Board. Further, the secretary shall be responsible for all official correspondence of the organization. The secretary in the PTO files shall maintain copies of all agendas, minutes, correspondence and the like.

SECTION 7.

- a. The PTO treasurer shall:
 1. Have custody of all funds of the organization and,
 2. Keep a full and accurate account of the receipts and expenditures; and,
 3. Make disbursements. Expenditures in excess of \$500 (500 hundred dollars) require the approval of the Executive Board; and,
 4. Present a report at every meeting of the organization, the Executive Board and at other times when requested by the Executive Board; and,
 5. Make a full report at the yearend meeting; and,
 6. Be responsible for maintenance of such book of accounts and records.
 7. Be responsible for the preparation and filing of all federal, state and local tax returns and other filings, as may be required by law.

Dual signatures of the PTO treasurer or an officer shall be required on any and all checks drawn on the organization's funds. Any nominee for the position of PTO treasurer should be familiar with double-entry bookkeeping.

SECTION 8.

All officers shall:

- a. Perform the duties prescribed in these Bylaws and any additional duties assigned from time to time; and,
- b. Discuss and vote collectively on items before presenting them to the Executive Board; and,
- c. Deliver to their successors all official material no later than thirty (30) days following the assumption of office by their successors; and,
- d. Remain as members in good standing of the organization throughout the term of their office.

ARTICLE VI: EXECUTIVE BOARD

SECTION 1.

The Executive Board shall consist of the officers of the organization, the principal, and the previous year's president (past president) and up to three teachers' representatives. The teachers' representatives shall constitute primary, secondary and specials. Each member of the Executive Board shall have one (1) vote. The Executive Board shall be authorized to:

- a. Transact necessary business in the intervals between general meetings and such other business as may be referred to it by the organization; and,
- b. Create standing committees; and,
- c. Approve or disapprove the plans and work of the standing committees; and,
- d. Present a report at the general meetings of the organization; and
- e. Appoint an auditor or an auditing committee to audit the treasurer's accounts, specifically at the end of each fiscal year; and,
- f. Approve expenditures for operations within the limits of the budget (Notification of expenditures will be posted and/or disclosed to the PTO community in a timely fashion.); and,
- g. Maintain at all times insurance coverage for the organization in the amount of not less than \$100,000/\$300,000 personal injury and property damage; and,
- h. Prepare a budget for the coming fiscal year, which is to be submitted to a vote of the membership of the organization; and,
- i. Approve substantial overruns of any budgeted line item prior to its being funded; and,
- j. Amend these Bylaws, as needed, subject to the approval of the membership at the next general meeting.

SECTION 2.

The past president shall serve on the Executive Board to provide guidance and shall be responsible for the maintenance of amendments to these Bylaws. In the event the past president is not available for this position, the secretary shall be responsible for the maintenance of the Bylaws instead.

SECTION 3.

The teacher representative(s) will serve a 1-year term and be appointed at the discretion of the principal of Desert Trails Elementary School. The teacher representative(s) will have voting privileges as part of the Executive Board.

SECTION 4.

Regular meetings of the Executive Board shall be held at least once per quarter during the school year.

SECTION 5.

A majority of the Executive Board shall constitute a quorum for the transaction of business at any meeting of the Executive Board; but if less than a majority of the Executive Board is present at said meeting, a majority of the Executive Board present may adjourn the meeting from time to time without further notice.

SECTION 6.

No member of the Executive Board shall enter into any contract(s) purporting to bind the organization without full and specific authorization of the Executive Board.

SECTION 7.

From and after the date of these Bylaws, the organization will indemnify and hold harmless the Executive Board of the organization from against any and all liabilities (fixed or contingent), obligations, losses, claims, action, suits, costs, damages, expenses (including legal fees and expenses), disbursements, amounts paid in settlement, judgments, fines of any kind and nature whatsoever (each an "Indemnity Claim") which may at any time be made, assessed, imposed on, asserted against or otherwise incurred by the Executive Board in connection with, relating to, or arising out of, these Bylaws, *except for* Executive Board acts or omissions constituting willful misconduct, as finally determined by a court of competent jurisdiction. In each instance where there is an Indemnity Claim or potential Indemnity Claim for which Executive Board is or may be entitled to seek indemnification, Executive Board must notify the organization in writing of such Indemnity Claim and shall furnish to organization copies of all notices, service of process, pleadings and other pertinent written communications from the party asserting such Indemnity Claim. Organization will advance legal fees and expenses incurred by Executive Board and reimburse and Indemnity Claim within 15 business days of Executive Board's submission of written request to organization. If Executive Board's actions or omissions are found to constitute willful misconduct, as finally determined by a court of competent jurisdiction, any funds transferred by organization to Executive Board in connection with the related Indemnity Claim shall be promptly reimbursed. Executive Board may in its sole discretion retain its choice of legal counsel in connection with any Indemnity Claim.

ARTICLE VII: MEETINGS

SECTION 1.

General meeting of the organization shall be held at least two (2) times during the school year, unless otherwise provided by the organization or by the Executive Board.

SECTION 2.

The Executive Board, upon twenty-four (24) hours notice having been given, may call special meetings of the membership or of the Executive Board.

SECTION 3.

The annual election meeting shall be at the last general meeting of the school year.

SECTION 4.

A quorum of the Executive Board shall be one more than fifty percent (50%) of the seated Executive Board members. A quorum for a general meeting of the organization shall consist of a majority of members in attendance.

ARTICLE VIII: STANDING COMMITTEES AND SPECIAL COMMITTEES

SECTION 1.

The Executive Board may create or disband such standing committees, as it may deem necessary, to promote the objectives and carry on the work of the organization.

SECTION 2.

The chairperson of each standing committee shall present a plan of work to the Executive Board.

SECTION 3.

The power to form or disband special committees and appoint their members rests with the organization and/or the president with the approval of the Executive Board.

SECTION 4.

All officers shall be a member ex-officio of all committees.

<p>ADOPTED BY VOTE OF THE EXECUTIVE BOARD OF THE DESERT TRAILS ELEMENTARY SCHOOL PARENT TEACHER ORGANIZATION, INC.</p> <p>THIS _____ DAY OF _____, 2005.</p> <p>CERTIFIED BY: _____, SECRETARY</p>
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<p>ADOPTED BY VOTE OF THE MEMBERSHIP OF THE DESERT TRAILS ELEMENTARY SCHOOL PARENT TEACHER ORGANIZATION, INC.</p> <p>THIS _____ DAY OF _____, 2005.</p> <p>CERTIFIED BY: _____, SECRETARY</p>
