



McCabe PTO

Constitution

And Bylaws

(Revised May 2014)

CONSTITUTION

I. Name of Organization

1. The name of this organization shall be the Anna M. McCabe School PTO (hereinafter referred to as PTO).
2. The mailing address of the PTO is 100 Pleasant View Avenue, Smithfield, RI 02917

II. Mission Statement

The mission of the PTO is to foster a spirit of cooperation and communication among all members of our school community, and to help develop a closer relationship between home and school.

III. Objectives

THE OBJECTIVES OF THE PTO ARE TO:

- work with the school to support the provision of a high quality, well-rounded education for the children;
- encourage parent participation in the development and support of school programs;
- promote parent volunteers at all levels in the school;
- raise funds through various lawful and proper activities as approved by the majority of PTO members present at a regularly scheduled meeting;
- assist local school administration and staff in securing needed items and resources that cannot be obtained through the annual school budget;
- encourage the community-at-large to support activities at McCabe School;
- continually research, evaluate, monitor, and recommend activities, programs, and services that support the mission and objectives of the PTO.

IV. Policies

1. **501(C)(3) STATUS:** The PTO is organized for nonprofit purposes and the individual members will not derive profit from the PTO. The PTO's 501(c)(3) status is on record with the Rhode Island Secretary of State.
2. **POLITICAL LIMITATION CLAUSE:** No activities of this organization shall consist of lobbying or propaganda, or otherwise attempt to influence legislation and the PTO shall not participate or intervene in a political campaign (including publishing or distributing statements) on behalf of any candidate for public office.
3. **POLITICAL ACTIVITIES:** Notwithstanding, any other provision of these articles, the PTO shall not carry on any other activities forbidden to it (a) by an association exempt from Federal Income Tax User Section 501(c)(3) of the Internal Revenue Code of 1986 (or corresponding provision of any future United States Internal Revenue Law/Code) or (b) by association contributions to which are deductible under section 170(c)(2) of the Internal Revenue Code of 1986 (or corresponding provision of any future United States Internal Revenue Law/Code)
4. The PTO shall be incorporated with the Rhode Island Secretary of State's Office.

5. The PTO shall work to promote the health and welfare of the children at Anna M. McCabe Elementary School and promote the collaboration among parents, teachers, the school and the community at large.

V. Membership and Enrollment

1. **ELIGIBILITY:** Membership shall be open to all McCabe families, faculty, and staff. Membership ends at the time of the first meeting of a new school year, at which time all eligible parties may renew their memberships. Only current PTO members are eligible to vote in PTO elections. Members may join at any time during the school year.
2. **ENROLLMENT:** Members shall submit an enrollment form to the PTO and pay dues, which shall be recommended by the Executive Board and voted upon by a majority of the non-Executive Board members voting at the June General PTO meeting. The fee will be per adult family member or guardian who wishes to join the PTO in each household per school year. The dues shall not be lower than \$5 per year or may not be raised by more than 50% in a calendar year. The approved amount of the dues will be posted on the PTO website.
3. **VOTING, NON-VOTING MEMBERS, AND ALLOWED FORMS OF VOTING:**
 - a. All PTO members are registered voting members. Voting is open to all registered PTO adult family members or guardians.
 - b. The Principal of Anna M. McCabe School is an advisor to the PTO and a non-voting member.
 - c. Voting shall be done verbally (“yeah” or “nay”) or by paper ballot in the case of contested elections.
 - d. Voting by proxy is prohibited by this Constitution and By-Laws.
 - e. Voting by email is prohibited by State of Rhode Island Statutes.

VI. Officers

1. Officers and Qualifications for Office
 - a. The officers of the PTO shall be the President, First Vice President, Second Vice President, Recording Secretary, Corresponding Secretary, Treasurer, and the Teacher Liaisons.
 - b. All officers must be current members of the PTO in good standing.
 - i. Good standing is defined as: having paid dues for the current year, current in any fees owed, and having attended at least one (1) meeting in the prior year.
 - c. No officer or member of the Executive Board shall be compensated by the PTO for their service.
 - d. Each officer shall attend the Executive Board and all regular meetings of the PTO unless prior notice of their inability to attend is given. Should their position require a report, that report may be submitted in their absence.

- e. No Officer shall secure any contract in the name of the PTO without the approval to do so by a vote of the PTO members (be it at a regular or special meeting of the PTO). Any approved purchase must be made within the budgetary restrictions set forth by said approval.
- f. No member of the PTO and/or Executive Board shall be required to submit any personal information as a condition of or consequence of serving on the Executive Board. Personal information includes, but is not limited to: social security number, personal email address, and cell phone number.

2. Terms of Office

- a. With the exception of the Treasurer, the term of the officers shall be for one (1) school year beginning on the day after the last day of the school year. Each officer shall remain in office through the last day of school of the year in which a successor is elected.
- b. The Treasurer's term of office shall be for one (1) year and shall follow the fiscal year, (August 1 through July 31). In the year in which a successor is elected, the previous Treasurer shall retain the title of Treasurer in order to complete the necessary IRS filings.
- c. An officer shall serve no more than two (2) consecutive years in the same office and no more than three (3) consecutive years on the Executive Board, unless no other eligible person is willing to serve.

VII. Executive Board

The Executive Board shall consist of the officers of the PTO as defined in Section VI.1 a.

VIII. Amendments

This Constitution may be amended by a two-thirds (2/3) majority vote of the members present and voting at a meeting, provided a quorum has been met as described in Section III of the By-Laws and provided that the proposed amendment has been made known to the membership one week prior to the vote. Revisions of the Constitution and By-Laws shall take effect upon passage.

IX. Parliamentary Authority

The PTO shall be governed by Roberts Rules of Order (Current Edition) in all matters of procedure and policy unless otherwise specified in the Constitution or By-Laws.

BY-LAWS

I. Duties of Officers

1. **PRESIDENT** – The President shall:
 - a. Preside over all meetings of the PTO and Executive Board;
 - b. Coordinate the assignments of all committees at an Executive Board meeting;
 - c. Perform the listed duties to promote the PTO's objectives.
 - d. For further information see the Job Descriptions.

2. **FIRST AND SECOND VICE PRESIDENTS** - The Vice Presidents shall:
 - a. In their designated order, perform the duties of the President in his/her absence or inability to serve;
 - b. Assist the President;
 - c. Perform the duties listed for his/her position in the Job Descriptions;
 - d. Perform other duties to promote the PTO's objectives.
 - e. For further information see the Job Descriptions.

3. **RECORDING SECRETARY** – The Recording Secretary shall:
 - a. Record and prepare the minutes of all official meetings of the PTO;
 - b. Perform duties listed for his/her position in the Job Descriptions;
 - c. Perform other duties to promote the PTO's objectives.
 - d. Maintain, in conjunction with the Corresponding Secretary, a current list of all members of the PTO for voting purposes.
 - e. For further information see the Job Descriptions.

4. **CORRESPONDING SECRETARY** – The Corresponding Secretary shall:
 - a. Handle all of the correspondence of the PTO as directed by the Executive Board or by action of the membership;
 - b. Perform duties listed for his/her position in the Job Descriptions;
 - c. Perform other duties to promote the PTO's objectives.
 - d. Maintain, in conjunction with the Recording Secretary, a current list of all members of the PTO for correspondence purposes.
 - e. For further information see the Job Descriptions.

5. **TREASURER** – The Treasurer shall:
 - a. Receive all funds of the PTO and be responsible for their safekeeping and accounting.
 - b. Pay out funds in accordance with the approved budget as authorized by the PTO;
 - c. Present a financial statement at every monthly membership meeting and at other times at the request of the Executive Board;
 - d. Present an annual report at the October meeting;
 - e. Perform the duties listed for his/her position in the Job Descriptions;
 - f. Perform other duties to promote the PTO's objectives.
 - g. For further information see the Job Descriptions.

6. **TEACHER LIAISON** – The Teacher Liaison shall:
 - a. Keep the lines of communication open between both the parents and the faculty;
 - b. Represent the faculty point of view on PTO issues.
 - c. For further information see the Job Descriptions.

II. Meetings

1. **REGULAR, SPECIAL, AND ANNUAL MEETINGS**

- a. Regular meetings of the PTO shall be set by the Executive Board in accordance with the Smithfield School Department Calendar prior to the first regular meeting of the school year. Notification of a meeting date change will be given five (5) days prior to the date change.
- b. The President or a majority of the Executive Board may call special meetings. Five-day prior notification of the meeting must be given to the membership. (The notice of the special meeting shall state the date of the meeting, purpose of meeting and the name of the member/members calling the meeting. No other business beyond the noticed action may be considered by a special meeting of the PTO.)
- c. The annual report meeting shall be the regularly scheduled October meeting.
- d. Meetings shall be conducted in a civil and proper manner under Roberts Rules of Order (Current Edition).

2. **PARTICIPATION IN MEETINGS:** Introducing motions and voting on all matters shall be limited to members of the PTO. All attendees present will have the opportunity to discuss and debate the matters at hand.

III. Quorum

1. A quorum shall exist if the number of non-Executive Board voting PTO members is two members plus the number of members of the Executive Board present.
2. At each meeting a roll of attendees shall be taken and attached to the minutes to evidence a quorum existed at the time of the meeting. This can be, but is not limited to a sign in sheet. Only current members may sign in and be counted.

IV. Executive Board

1. **DUTIES** – The Executive Board shall:
 - a. attend all regular and Executive Board meetings;
 - b. conduct the necessary business of the PTO between meetings;
 - c. create and oversee committees;
 - d. approve the work plans of the committees;
 - e. establish the agenda for the regular meetings;
 - f. perform other such duties as may be delegated;
 - g. make all appropriations from the funds of the PTO as voted upon at a general or special meeting and as agreed to in the Executive Board Financial Meeting where the budget is finalized;
 - h. have the authority to manage the affairs and finances of the PTO.

2. MEETINGS

- a. Regular meetings shall be scheduled monthly through the school year.
- b. Special meetings may be called by the President or by the request of a majority of members of the Executive Board. (The notice of the special meeting shall state the date of the meeting, purpose of meeting and the name of the member/members calling the meeting. No other business beyond the noticed action may be considered by a special meeting of the PTO.)

3. DISCIPLINARY ACTION

- a. The Executive Board may replace any officer who is grossly negligent of his/her duties as defined in the Bylaws and Job Descriptions or who is incapacitated to fill the unexpired term. This vacancy shall be filled for the unexpired term by a person elected by a majority vote of the remaining members of the Executive Board, notice of such vacancy and election must be given to the membership by the President. In the event a vacancy occurs in the office of the President, the First Vice President shall fill the unexpired term. The Second Vice President then becomes the First Vice President.
- b. The general membership may remove any officer of the Executive Board who is grossly negligent of his/her duties as defined in the Bylaws and Job Descriptions or who is incapacitated to fill the unexpired term, with a motion from a member and a 2/3 vote of the membership present at a quorum meeting, provided that the agenda for the meeting states that a vote will be taken by the membership as a disciplinary action against an Executive Board member, and is provided to the membership at least one week prior to the meeting.

4. BOARD MEMBER LIMITATIONS: the office of a board member shall be immediately vacated if:

- a. he/she is no longer a member of the PTO
- b. by written notice, in which he/she resigns the office

5. AUDITS: The Board has the duty to audit the records of the Corresponding Secretary, Recording Secretary, Treasurer and the various committees including but not limited to their use of finances of the PTO.

6. REQUEST FOR EXPENDITURES: The Board shall prepare and make available upon request of a member a statement of expenditures and receipts for the period requested. Statements will be provided within sixty (60) days of the receipt of such written request.

7. REQUEST FOR BUSINESS RECORDS: The Board shall prepare and make available, upon request of a member, a copy of the reports and/or minutes of Executive Board or PTO Meetings for the period requested. These reports and/or minutes will be provided within sixty (60) days of the receipt of such written request.

V. Standing Committees

The Executive Board, as it deems necessary to promote the objectives and carry on the work of the PTO, may create and dismiss standing committees. No committee spending, beyond any previously authorized or budgeted by the Executive Board, shall be undertaken without the consent of the Executive Board.

VI. Special Committees

Special Committees, as may be necessary, shall be appointed each year by the Executive Board and will be discharged upon completion of their duties and receipt of their final report.

1. The Nominating Committee shall consist of three (3) current members, one (1) who is a representative of the Executive Board (but not the President) and two (2) who are representatives of the general membership one of which may be a teacher. No members of the Nominating Committee are eligible to run for office. The committee shall canvas the membership in writing for recommendations of candidates for all positions. All candidates must be current members of the PTO prior to the election and be willing to serve if elected.
2. In the event that an independent financial advisor has not been retained to review the accounts of the PTO, the Executive Board at the May meeting shall appoint a Finance Review Committee. The committee consisting of no less than three current (3) members of the general PTO membership, including at least one teacher, elected by a majority of the members present shall then examine the PTO's financial records and sign them, indicating that they are satisfied as to the accuracy of the records. Before the review, the Treasurer will take steps to ensure that confidential information is not revealed.
3. The By-Laws committee shall, upon direction of the Executive Board perform a periodic review of the By-Laws and ensure they are current with statutory regulations and language and relevant to the PTO as written. This committee will present, if necessary, a draft of the Constitution and By-Law Amendments for discussion and formal review and approval by the PTO. All changes to the Constitution and By-Laws must be posted and sent to the general membership one week prior to the vote on said changes or amendments. One Executive Board member shall act as a liaison with no voting privileges on this committee.

VII. Elections

1. **REGULAR ELECTIONS**

- a. Officers shall be elected by ballot in the month of May.
- b. The Nominating Committee shall present a list of eligible candidates and request additional nominations from the floor at the regular April PTO meeting. All nominated candidates must be current members of the PTO prior to the election and acceptance of nomination as defined in Section V of the Constitution. All nominations are considered closed at the end of the April meeting and no further candidates may be added to the ballot.
- c. The Nominating Committee shall compile an alphabetical list of all candidates under the office for which they were nominated. This list shall be distributed to the PTO members not less than 10 days prior to the election date.

- d. The Nominating Committee will present the nominees to the membership at the regular May PTO meeting at which the elections are held. The Nominating Committee will conduct the election process.
 - e. If there is only one candidate for a given position, the Recording Secretary will, by one vote, declare the candidate/candidates elected to the Executive Board of the PTO.
 - f. All elections votes shall be open to all registered PTO voting members. Regular and Special elections shall be conducted at PTO meetings. However, since not all registered PTO voting members can be present at meetings, registered PTO voting members may submit a sealed vote on the day of the specified election during school hours.
 - g. If no person is nominated and elected for a position to the Executive Board, The Executive Board shall follow the policy for vacancies in accordance with Section VII Paragraph 2 of the By-Laws. A notice should be sent to the membership informing them of who is filling the vacancy.
2. **VACANCIES:** A vacancy occurring in any office shall be filled for the unexpired term by a person elected by a majority vote of the remaining members of the Executive Board, notice of such vacancy and election having been given to the membership by the President. In the event a vacancy occurs in the office of the President, the First Vice President shall fill the unexpired term. The Second Vice President shall become the First Vice President.

VIII. Amendments

These Bylaws may be amended by a two-thirds (2/3) majority vote of the members present and voting at a meeting, provided a quorum (as described in Section III of the By-Laws) has been met and provided that the proposed amendment has been made known to the membership one week prior to the vote. Revisions of the Constitution and By-Laws shall take effect upon passage.

IX. Dedication and Dissolution Clause

1. **CHARITABLE PURPOSE:** The property of this organization is irrevocably dedicated to charitable purposes and no part of the net income or assets of this organization shall ever be dispersed for the benefit of any director, officer or member thereof or to the benefit of any private person.
2. **ASSETS UPON DISSOLUTION:** Upon the dissolution of the PTO, assets shall be distributed 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 shall be disposed of by a Court of Competent Jurisdiction of the county in which the principal office of the corporation is then located, exclusively for such a purpose or to such an organization or organizations, as said Court shall determine, which are organized and operated exclusively for such purpose.

JOB DESCRIPTIONS FOR PTO OFFICERS

Below is a list of job responsibilities and job requirements for each of the PTO Officers. This list is not all-inclusive and may be modified from time to time by the Executive Board. Though the sections below describe the duties of each individual officer, the following responsibilities and requirements are required for every officer:

- Attends all monthly PTO and Executive Board meetings.
- Acts as a mentor for incoming officers during their first few months of office.
- Forwards all notes, files and other information concerning committees and other responsibilities to new officers immediately following the end of the school year.
- Oversees certain committee chairs and reports to the Executive Board on those committee activities.
- Performs other duties as assigned and agreed.
- Should be well-organized.
- Should be able to commit to full term of office.
- Should have access to and knowledge of computers.
- The PTO must adopt a positive or zero balanced budget.
- The PTO Executive Board members may join the Rhode Island PTA (via the Ocean State PTA open membership) at their discretion. The fee for this membership shall be covered by the PTO and not the individual member.

President

Job Responsibilities:

- Schedules, creates the agenda in conjunction with the Recording Secretary, and presides at all meetings of the PTO and Executive Board.
- Serves as signatory on PTO checks.
- Acts as the primary resource to McCabe Elementary School on matters pertaining to the PTO or impacting the PTO's mission.
- Functions as a liaison to the school, consulting with the Principal on issues of mutual concern and to apprise the Principal of proposed PTO activities.
- Obtains necessary permits for PTO activities and events.
- The President or his/her designee shall attend the monthly Superintendent and School Committee meetings, reporting all pertinent information to the general membership at the next scheduled PTO meeting.
- The President shall serve in an ex-officio capacity on all committees.

First Vice-President

Job Responsibilities:

- Performs the duties of the President in his/her absence or inability to serve.
- Notifies the Executive Board of meeting changes in a timely manner.

Second Vice-President

Job Responsibilities:

- Performs the duties of the President in the President's and First Vice-President's absence or inability to serve.
- Notifies the Executive Board of meeting changes in a timely manner.

Recording Secretary

Job Responsibilities:

- Records, copies and distributes the minutes of all general and Executive Board meetings.
- Presents or answers questions about meeting minutes at each general PTO meeting.
- Assists the President in setting the agenda for general and Executive Board meetings.
- Distributes meeting agendas in advance.
- Maintains a current copy of the PTO Constitution, By-Laws and Job Descriptions.
- Maintains, in conjunction with the Corresponding Secretary, a current list of all members of the PTO for voting purposes.

Job Requirements:

- Should have strong writing skills (grammar, spelling, punctuation, etc.) in order to ensure that meeting minutes, agendas, and other documents are error-free and reflect positively on the PTO and the Executive Board.

Corresponding Secretary

Job Responsibilities:

- Coordinates all PTO correspondence (for example, newsletters, meeting flyers, computer emails, news releases, etc.) to ensure that all necessary information is disseminated to the PTO membership.
- Coordinates the receipt of general PTO mail and distributes items to the individuals and/or positions as appropriate.
- Conveys PTO messages (e.g., offerings of congratulations, sympathy, thank-you notes, etc.).
- Complete and file the Annual Report and listing of Officers as required by the Rhode Island Secretary of State's office in accordance with their deadlines.
- Maintains, in conjunction with the Recording Secretary, a current list of all members of the PTO for correspondence purposes.
- Shall serve as the registered agent for the PTO.

Job Requirements:

- Should have strong writing skills (grammar, spelling, punctuation, etc.) in order to ensure that all PTO correspondence is error-free and reflects positively on the PTO and the Executive Board.

Treasurer

Job Responsibilities:

- Transfers all Organization funds to the PTO's bank account within one (1) week of their receipt.
- Maintains all deposit slips, with appropriate identification of the source of such funds.
- Maintains an up-to-date record of income and expenditures.
- Pays bills upon preparation for those items included in the PTO's budget.
- Serves as a signatory on PTO checks.
- Distributes receipts upon request for donations to the PTO.
- Provides financial reports at all Executive Board and General Membership meetings.
- Adheres to and implements all financial procedures established by the PTO.
- Presents a full financial report and proposed budget at the October PTO meeting and presents budget to general membership for approval.

- Posts budget and financial reports in a permanent place for all members to view and include at the PTO meetings.
- Reports the results of the annual financial review of the Treasurer's accounts.
- Maintains the list of current Faculty/Staff PTO members.
- Completes all forms and filings as required by the IRS in accordance with their deadlines.

Job Requirements:

- Should have strong math and accounting skills.
- Should have access to and knowledge of computers, including knowledge of Excel software.

Teacher Liaison

Job Responsibilities:

- Keeps lines of communication open between parents and faculty.
- Represents faculty point of view on PTO issues.