

Dr. James Red Duke  
Elementary School  
Parent Teacher Organization  
PTO Bylaws

ARTICLE I: NAME

Section 1.1. The name of this organization is the Duke Elementary Parent Teacher Organization, hereinafter referred to as the PTO. Dr. James Red Duke Elementary School, hereinafter referred to as Duke Elementary, is in the Alvin Independent School District, Manvel, Texas.

ARTICLE II: PURPOSE

Section 2.1 The PTO is a volunteer organization of parents/guardians and teachers, and is organized exclusively for charitable and educational purposes, including, for such purposes, the making of distributions to organizations that qualify as exempt organizations under Section 501 (c) (3) of the Internal Revenue Code, or corresponding section of any future federal tax code. The purpose of the PTO is to assist with and enhance school activities by providing volunteers, raising monies and organizing approved extracurricular activities and events.

Section 2.2 No part of the net earning of the organization shall inure to the benefit of, or be distributable to its members, trustees, officers, or other private persons, except that the organizations shall be authorized and empowered to make payments and distributions in furtherance of the purposes set forth in the purpose clause hereof. No substantial part of the activities of the organization shall be the carrying on of propaganda, or otherwise attempting to influence legislation, and the organization shall not participate in, or intervene in (including the publishing or distribution of statements) any political campaign on behalf of any candidate for public office. Notwithstanding any other provision of this document, the organization shall not carry on any other activities not permitted to be carried on (a) by an organization exempt from federal income tax under section 501 (c) (3) of the Internal Revenue Code, or corresponding section of any future federal tax code, or (b) by an organization, contributions to which are deductible under Section 170 (c) (2) of the Internal Revenue Code, or corresponding section of any future federal tax code. Notwithstanding any other provision in this document, the purposes will be limited exclusively to exempt purposes within the meaning of Section 501 (c) (3) of the Internal Revenue Code, or corresponding section of any future federal tax code.

Section 2.3 To encourage unity between Duke School, its administration, teachers, staff, parents, students, and the Manvel community. To promote family participation and to enhance the education that all Duke students receive.

## ARTICLE III: POLICIES

Section 3.1 The purpose of this organization is educational and shall be developed through general and executive board meetings, committees, and projects. The PTO shall in no way attempt to direct the administrative work of the school. The Executive Board shall not despairingly represent the PTO in any public forum including social media. Violations of this provision will be grounds for removal from office.

Section 3.2 The name of this organization and/or the names of any members in their official capacities shall not be used in any connection with commercial concern, with any partisan interest, or with any charitable organization for any purpose not related to the promotions of the objectives for this PTO.

Section 3.3. This organization shall not contribute financially to any other organization without the approval of the Executive Board.

Section 3.4 The Executive Board shall adopt a conflict of interest policy to protect the organization's interests. This conflict of interest policy will be signed annually by each elected officer and shall be subject to periodic review. (see Appendix 1 --- Conflict of Interest policy)

Section 3.5 All checks drawn on the PTO bank account require two officer signatures.

## ARTICLE IV: MEMBERSHIP, DUES, AND VOTING RIGHTS

Section 4.1 Membership in the PTO shall be open to parents, guardians, or other adults standing in loco parentis for a student at Duke, as well as all current faculty and staff members of Duke Elementary who are willing to support the objectives and uphold the policies of this organization.

Section 4.2 Annual dues shall be in the amount of \$15.00 per family and shall last throughout the school year. Annual dues shall be waived for any student who qualifies for the free/reduced lunch program.

Section 4.3 Each member present shall be entitled to one vote on each matter submitted to a vote of the membership.

## ARTICLE V: OFFICERS AND THEIR ELECTION

Section 5.1 The officers of the organization shall be elected annually from the membership, shall serve without compensation, and shall consist of a President, Vice President, Secretary, and Treasurer, Financial Secretary and Corresponding Secretary (also referred to as the Executive Board). All officers shall be active members in good standing with a student enrolled at Duke Elementary during the year of service.

Section 5.2 Officers shall assume their official duties at the close of the school term and shall serve for a term of one year and/or until successors are installed.

Section 5.3 No officer shall serve in the same capacity for more than two (2) consecutive terms. Vacancies during the year shall be filled by special elections at the next general meeting.

Section 5.4 No officer shall hold more than one office at a time.

Section 5.5 The President shall appoint a nominating committee of three (3) general members at the spring meeting. PTO members interested in one of the officer positions will be required to contact one of the three (3) nominating committee members to place their name on the voting ballot. Nominations from the floor will be accepted as a write in on the ballot. A majority vote of the members present constitutes an election to that position. Newly elected officers shall be installed at the End---of---Year meeting.

Section 5.6 If there is a vacancy in the office of president, the vice president will become the president. At the next regularly scheduled meeting, a new vice president will be elected.

Section 5.7 Officers can be removed from office with or without cause by a two---thirds vote of those present (assuming a quorum) at a regular meeting where previous notice has been given.

## ARTICLE VI: DUTIES OF OFFICERS

Section 6.1 Duties of the PTO President include the following:

- a. Preside at all meetings of the PTO and Executive Board
- b. Appoint chairpersons of the standing and special committees, as well as act as ex---officio member of all said committees with the exception of the Nominating Committee.
- c. Act as official spokesperson for the PTO
- d. Co---sign PTO checks with Vice President or Treasurer.
- e. Coordinate the work of the officers and committees of the organization in order that the objectives may be promoted.
- f. Communicate with the principal to ensure he/she receives all necessary information concerning the PTO.
- g. Perform other duties as may be prescribed in bylaws or assigned to this office by the organization.

Section 6.2 Duties of the PTO Vice President include the following:

- a. Assist the President in the discharge of his/her duties
- b. Perform all duties of the President in the event that the President is absent, unable, or unwilling to execute such duties.
- c. Co---sign PTO checks with President or Treasurer.
- d. Serve as a member of the audit committee.

- e. Perform other duties as may be prescribed in bylaws or assigned to this office by the organization.
- Section 6.3 Duties of the PTO Recording Secretary include the following:
- a. Keep minutes of all executive board and general meetings of the organization.
  - b. Submit copies of minutes to officers and the principal prior to the monthly board meeting.
  - c. Responsible for maintaining membership records.
  - d. Present minutes at each meeting.
  - e. Issue notices of all meetings of the organization.
  - f. Submit monthly activities to school newsletter for publication.
  - g. Coordinate other correspondence as needed.
  - h. Perform other duties as may be prescribed in bylaws or assigned to this office by the organization.
- Section 6.4 Duties of the PTO Treasurer include the following:
- a. Keep accurate records of the organization funds. Books must be of audit quality to pass an annual audit by the school district or IRS.
  - b. Process and co---sign, with the President or Vice President, checks for all the organization's purchases.
  - c. Process all other financial transactions (i.e.--- deposits, payments, etc.)
  - d. Reconcile accounts monthly.
  - e. File state sales tax reports and income tax reports to the IRS annually.
  - f. Supply the president with monthly balance sheets on the organization's funds balance.
  - g. Report at PTO meetings and prepare preliminary annual balance sheet and year---to---date income statement for submission at the End---of---Year meeting.
  - h. Prepare annual Financial Report and Financial Certification for Alvin ISD finance department.
  - i. Perform other duties as may be prescribed in bylaws or assigned to this office by the organization.
- Section 6.5 Duties of the PTO Financial Secretary include the following:
- a. Collects all funds/revenue of the organization and duly transfers same to Treasurer.
  - b. Issues electronic receipts at the time of payment of dues and at the time of receipt of all funds.
  - c. Reports on total revenue collected to support Treasurer's monthly statements.
- Section 6.6 Duties of the PTO Corresponding Secretary include the following:
- a. Conducting the general correspondence of the organization when it is not a function proper to other offices, or proper to other committees.

- b. Manage communications of the PTO including, but not limited to email broadcasts, website etc.

#### ARTICLE VII: EXECUTIVE BOARD

Section 7.1 The Executive Board shall consist of the officers, principal, and standing committee chairs.

Section 7.2 The duties of the Executive Board shall be to transact business between meetings in preparation for the general meeting, create standing rules and policies, create standing and temporary committees, prepare and submit a budget to the membership, approve routine bills, and prepare reports and recommendations to the membership.

Section 7.3 Regular meetings shall be held at regular intervals, to be determined by the board. All officers present at the meetings have one vote per person on issues brought before the Board. Actions shall be agreed upon by a majority vote of the Board members present. In the event of a tie vote, the President will have the tie-breaking vote. Any action involving the school must have approval of the Principal. Any major activity, program, or large expenditure greater than \$1,000.00 must be presented to the general membership for approval. Special meetings may be called by any two board members with 24 hours notice.

Section 7.4 Half the number of board members plus one constitutes a quorum.

#### ARTICLE VIII: MEETINGS

Section 8.1 Meetings of the PTO shall be held at Duke Elementary.

Section 8.2 Regular general meetings of the PTO shall be held at least four times during the school year.

Section 8.3 Roberts Rules of Order Revised shall be parliamentary authority.

Section 8.4 Special general meetings of the organization may be called by the president or by a majority of the executive board, with three (3) days notice having been given. No official PTO business shall be conducted at special meetings except that for which the special meeting was called.

Section 8.5 The election meeting shall be held in the Spring, before the end of the school year.

Section 8.6 Five (5) members with at least the president or vice president shall constitute a quorum for the transacting of business of the PTO.

#### ARTICLE IX: COMMITTEES

Section 9.1 Officers of the organization shall be eligible to serve on any special or standing committee with the exception of the Audit Committee.

Section 9.2 There shall be standing committees created at the time of officer elections. The Board may approve any member in good standing to any special committee created, or may fill any vacancy by appointment during that school year.

Section 9.3 The standing committees are as follows:  
a. Audit Committee  
b. Nominating Committee

Section 9.4 The special committees are as follows:

- a. Fundraising Committee
- b. Volunteer Committee
- c. Membership Committee

#### ARTICLE X: AMENDMENTS

Section 10.1 These bylaws may be amended at any regular general meeting of the organization by a two--thirds majority vote of the members present and voting, provided that notice of the proposed amendments shall have been given at least thirty (30) days prior to the meeting at which the amendment is voted.

#### ARTICLE XI: COMPLIANCE

Section 11.1 The bylaws will comply with all Alvin ISD policies and procedures, UIL regulations and Federal and Texas state tax laws for booster clubs.

#### ARTICLE XII: DISTRICT ACCESS TO FINANCIAL ACCOUNTS AND RECORDS

Section 12.1 Access to the financial records and books of the organization are granted to the Superintendent, Deputy Superintendent, and Director of Finance of Alvin ISD.

Section 12.2 Access to the bank account information and bank account records of the organization are granted to the Superintendent, Deputy Superintendent, and Director of Finance of Alvin ISD.

Section 12.3 Additionally, the Superintendent, Deputy Superintendent, and Director of Finance of Alvin ISD can temporarily suspend all bank account activity pending any investigations into the organization.

#### ARTICLE XIII: DISSOLUTION AND REORGANIZATION

Section 13.1 The Superintendent of Schools is solely responsible for the entire educational program, including curricular and extracurricular activities. All activities, events, and personnel are under the jurisdiction of the Superintendent. Therefore, the Superintendent of Alvin ISD has the authority to dissolve and or reorganize the organization at his/her discretion. Upon dissolution, all assets are to be distributed to Duke's school activity fund.