

August 2015

**Uniform Bylaws
for Parent Teacher Organizations
of Henry County Schools**



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Uniform Bylaws for Parent Teacher Organizations of the Henry County School System

Article I – Name

The name of the organization shall be the _____
(Insert name of School)

School-Parent-Teacher- Organization (PTO). It is a local organization independent of any and all other organizations.

Article II – Purpose

The purpose of this organization is to develop a closer relationship between school, home, and community stakeholders for student and school success.

Article III – Membership and Registration

Section 1. Membership: All parents/guardians and school faculty and administrative staff may become a member.

Section 2. **Registration:** Before a parent, guardian, school faculty/staff can become a member, the member must provide all information required on the membership form and sign the same.

Article IV – Officers and Elections

Section 1. Officers: The Officers of the PTO shall be a President, Vice President, Secretary and Treasurer.

A. President: The President shall preside over meetings of the organization and Executive Board, serve as the primary contact for the Principal, represent the organization at meetings outside the organization, serve as an ex officio member of all committees except the nominating committee, and coordinate the work of all the Officers and committees so that the purpose of the organization is served.

B. Vice President: The Vice President shall assist the President and carry out the President's duties in his or her absence or inability to serve.

C. Secretary: The Secretary shall keep all records of the organization, take and record minutes, prepare the agenda, handle correspondence, and send notices of meetings to the membership. The Secretary also keeps a copy of the minutes, bylaws, rules, membership list, and bring any other necessary supplies to the meetings.

D. Treasurer: The Treasurer shall obtain Federal and State tax identification numbers for the organization. The Treasurer shall also receive all funds of the organization, keep an accurate record of receipts and expenditures, and pay out funds in accordance with the approval of the Executive Board. He or she will present a financial statement at every meeting and at

other times of the year when requested by the PTO Executive Board or Principal and make a full report at the end of the year.

E. In the event that there are not sufficient qualified persons to hold the position of Secretary and Treasurer, then the Officers and the duties of Secretary and Treasurer will be combined to act as Secretary/Treasurer of the organization.

Section 2. Nominations and Elections: At the discretion of the school Principal, officer elections will be held at the second to last meeting of the school year or within the first month of the new school year. The nominating committee shall select a candidate for each office and present the slate at a meeting held one month prior to the election. At that meeting, nominations may also be made from the floor.

Voting shall be by voice vote if a slate is presented. If more than one person is running for an office, a ballot vote shall be taken.

Section 3. Eligibility: Members are eligible for office if they are PTO members in good standing before the nominating committee presents its slate. Eligibility for Officers is limited to those individuals who have a child/children currently enrolled in the school for which they are seeking the elected position. Candidates must adhere to all requirements of a school volunteer, including, but not limited to, criminal screening (Appendix A).

Section 4. Terms of Office: Officers are elected for one year and may serve no more than two (2) consecutive terms in the same office. Each person elected shall hold only one office at a time.

Section 5. Vacancies: 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. If there is a vacancy in any other office, members will fill the vacancy through an election at the next regular meeting.

Section 6. Removal from Office: After notice as hereinafter provided has been given to the members of the organization, any officer can be removed from office with or without cause by a two-thirds (2/3) vote of a quorum of the members present at the meeting called for such purpose. A quorum shall be 10% of the registered members of the organization.

Article V – PTO Executive Board

Section 1. Membership: The PTO Executive Board shall consist of the PTO Officers and Principal or Principal designee of the school.

Section 2. Duties: The duties of the PTO Executive Board shall be to transact business between meetings in preparation for the general meeting, create standing and temporary committees, and prepare reports and recommendations to the membership.

Section 3. Meetings: Regular meetings shall be held monthly as determined by the PTO Executive Board. Special meetings may be called by any two Executive Board members with 24-hour notice.

Section 4. Quorum: A quorum shall be a majority of the members of the Executive Board.

Section 5. Compensation: The Officers and PTO Executive Board members serve on a volunteer basis and will not receive compensation.

Article VI – General Membership Meetings

Section 1. Regular Meetings: The regular meeting of the organization shall be held monthly during the school year and at a time and place determined by the PTO Executive Board. The PTO Executive Board will publish an annual calendar of scheduled meetings.

Section 2. Special Meetings: Special meetings may be called by the President, any two members of the Executive Board, or five general members submitting a written request to the Secretary. Notice as defined below of the special meeting shall be sent to the members at least five (5) days prior to the meeting.

Section 3. Quorum: A quorum shall be a majority of the Executive Board present at the meeting plus five (5) members of the organization.

Section 4. Notice: Notice shall be given by the email address listed on the membership registration form or by text message to the phone number listed on the membership registration form or by facsimile listed on the registration form or by phone call to the phone number listed on the membership form.

Article VII – Committee, Reports, and Minutes

Section 1. Standing Committee: The only standing committee shall be the PTO Auditing Committee. This committee shall consist of the following:

Principal, or his or her designee;

An appointment made by the Executive Board of a member who is not a member of the Executive Board and;

An individual appointed by the Superintendent.

Reports: The audit committee shall make written reports on an annual basis to the Financial Services Department of the School System and such other audit reports as directed by the Superintendent.

Minutes: The audit committee shall keep a written record of all activities of the committee.

Article VIII – Finances

Section 1: A tentative budget shall be drafted either at the end of the current school year or no later than the first meeting of the new school year and approved by a majority vote of the members present.

Section 2: The Treasurer shall keep accurate records of any disbursement, income and bank account information. The Treasurer shall prepare a financial statement at the end of the year to be reviewed by the PTO Audit Committee. The annual financial statement shall be made available to members no later than July 31 following the most recent fiscal year and published on the school website. The accounts shall be examined annually or upon change of Treasurer.

Section 3: Financial records shall be audited annually (internal or external). The audit report shall be submitted to the Secretary and made available to all PTO members within 30 days upon completion.

Section 4: The PTO Executive Board shall recommend approval of all expenses of the organization to the Principal who has the final authority on approval for all expenses.

Section 5: Two authorized signatures shall be required on each check over the amount of \$100. Authorized signers shall be the President and Treasurer. The School Principal shall not be authorized to sign checks.

Section 6: The Principal and/or Superintendent of schools has the authority to dissolve and/or repurpose a PTO at any time. The Principal, in consultation with the Superintendent or designee, may notify the appropriate PTO committee members in a manner the Principal deems most appropriate, including, but not limited to, a letter, electronic message, and/or a face-to-face meeting. Upon the dissolution of the organization, any remaining funds will be used to pay any outstanding PTO debt and remaining funds will revert to the school to be used for the benefit of the students under the discretion of the Principal.

Section 7: The fiscal year shall coordinate with the school year of July 1 through June 30.

Section 8: The president shall produce and submit a written report on a monthly basis to the PTO board and Principal to include a comprehensive financial report of deposits, expenses, and all other financial transactions. The monthly written report should be presented to the board and Principal no later than ten (10) days following the close of the monthly bank activities.

Section 9: The PTO shall not use the school district's federal tax ID number.

Article IX – Parliamentary Authority

Robert's Rules of Order shall govern meetings when they are not in conflict with the organization's bylaws.

Article X – Standing Rules

Standing rules may be approved by the PTO Executive Board, and the Secretary shall maintain the standing rules for future reference.

Article XI – Amendments

These bylaws may be amended (only to include additional language) at any regular or special meeting provided notice has been given in writing at the prior meeting to all members of the organization. Notice as defined in Article VI-Section 4, may be given by USPS mail, e-mail, or facsimile if a quorum is present at the meeting. Before an amendment can become effective, the same has to be approved in writing by the Superintendent or his or her designee. Amendments shall be approved by a two-thirds vote of the members present.

Article XII – Conflict of Interest Statement

The PTO Executive Board and all members shall abide by the Conflicts of Interest policies of the Henry County Board of Education (see Appendix B).

Article XIII – Assurances

The following items will be recognized and signed annually by the PTO Executive Board members:

- PTO Bylaws
- Completion of school district mentors/volunteer/chaperones protocols
- Criminal background check (see Appendix A)
- School district Conflict of Interest policy (see Appendix B)
- Annual financial audit report

Henry County Schools

Date Adopted: 1/24/2011

Policy Reference Disclaimer: These references are not intended to be part of the policy itself, nor do they indicate the basis or authority for the board to enact this policy. Instead, they are provided as additional resources for those interested in the subject matter of the policy.

Note: *The State of Georgia has moved the Georgia Code. This new environment no longer allows us to link directly to the Georgia Code. For example [enter 20-02-0211 in the search window](#) and the Georgia Code will appear.*

State Reference	Description
O.C.G.A 20-02-0058.1	<u>"Immediate family" defined; employment of family members</u>
O.C.G.A 20-02-0505	<u>School board members prohibited from selling school supplies or equipment to county board</u>
O.C.G.A 20-02-0505.1	<u>Board transacting business with bank or similar institution in which member has interest</u>
O.C.G.A 20-02-1072	<u>Financial interest in transportation services by board members/superintendent prohibited</u>
O.C.G.A 21-05-0001	<u>Ethics in Government Act - short title</u>
O.C.G.A 21-05-0011	<u>Acceptance by public officers of monetary fees or honoraria</u>
O.C.G.A 21-05-0033	<u>Disposition of contributions</u>
O.C.G.A 21-05-0034	<u>Campaign Disclosure Reports</u>
O.C.G.A 21-05-0041	<u>Maximum allowable contribution by persons or partnerships</u>
O.C.G.A 21-05-0050	<u>Filing by public officers; filing by candidates for public office; filing by elected officials and members of the General Assembly; electronic filing</u>
O.C.G.A 21-05-0070	<u>Public Officials Conduct and Lobbyist Disclosure - Definitions</u>
O.C.G.A 45-02-0002	<u>Person to hold only one county office; commissioned officer not to be deputy for another</u>
O.C.G.A. 20-02-0049	<u>Standards for local board of education members</u>
O.C.G.A. 20-02-0051	<u>Election of county board members; persons ineligible to serve</u>
O.C.G.A. 20-02-0063	<u>Prohibit certain conflicts of interest of board members</u>
O.C.G.A. 20-02-0073	<u>Removal of board members under certain circumstances</u>
Rule 160-4-9-.06	<u>Charter Authorizers, Financing, Management, and Governance Training</u>
Rule 160-5-1-.36	<u>Local School Board Governance</u>

PTO Executive Board Members Assurances Agreement:

As a volunteer PTO Executive Board member for

_____ School, I affirm having been provided the following documents. Furthermore, I have read, understand, and agree to the terms and conditions as set forth.

- PTO Bylaws
- Completion of school district mentors/volunteer/chaperones protocols
- Criminal background check (Appendix A)
- School district Conflict of Interest policy (Appendix B)
- Annual financial audit report (available upon completion of the school year, 30-days following the close of the school fiscal year of June 30).

PTO President:

Printed name: _____

Signature: _____

Date: _____

PTO Vice-President:

Printed name: _____

Signature: _____

Date: _____

PTO Treasurer:

Printed name: _____

Signature: _____

Date: _____

PTO Secretary:

Printed name: _____

Signature: _____

Date: _____

Appendix A

**AUTHORIZATION OF RELEASE OF CRIMINAL
BACKGROUND INFORMATION
- Mentor/Volunteer/Chaperone Consent Form -**

School: _____ **School Contact:** _____

To the Sheriff's Department of Henry County:

I hereby authorize any clerk, officer, judge, custodian, or other person to give to the Henry County Schools, 33 North Zack Hinton Parkway, McDonough, Georgia, 30253, any and all information in their possession regarding my motor vehicle record, and any criminal history or record pertaining to me, which may be on file with any criminal justice agency, court, or the GCIC/NCIC, or other information requested upon presentation of this authorization or any reproduced copy thereof. (O.C.G.A. 35-3-35/35-3-6.) I further give my continuing consent, for officials of Henry County Schools to access such information throughout the course of my service at intervals, should the Henry County Schools deem further background checks appropriate.

**ALL REQUESTED INFORMATION MUST BE SUBMITTED AND MUST BE LEGIBLE.
THE SHERIFF'S DEPARTMENT WILL NOT PROCESS INCOMPLETE REQUESTS,
AND INCOMPLETE FORMS WILL BE RETURNED TO THE SCHOOL.**

Print Full Name (First, Middle, Last) Social Security Number
(Full Number)

Street Address

City State Zip Code

Sex Race Date of Birth Driver's License
(MM/DD/YYYY) Number/State

Signature Date

Sworn to and subscribed before me this _____ day of _____, _____

Notary Public

Appendix B

Board Member Conflict of Interest Descriptor Code: BHA

The Henry County Board of Education shall adhere to these Conflict of Interest provisions as set forth in state law.

1. No board member shall use or attempt to use his or her official position to secure unwarranted privileges, advantages, employment for himself or herself, any of his or her immediate family members, or others.
2. No board member shall act in his or her official capacity in any matter in which he or she, any of his or her immediate family members, or any business organization in which he or she has a material financial interest, that would reasonably be expected to impair his or her objectivity or independence of judgment. Compliance with O.C.G.A. Section 20-2-505 shall not constitute a violation of this paragraph.
3. No board member shall solicit or accept or knowingly allow any of his or her immediate family members or any business organization in which he or she has an interest to solicit or accept any gift, favor, loan, political contribution, service, promise of future employment, or other thing of value based upon an understanding that the gift, favor, loan, contribution, service, promise, or other thing of value was given or offered for the purpose of influencing that board member in the discharge of his or her official duties. This paragraph shall not apply to the solicitation or acceptance of contributions to the campaign of an announced candidate for elective public office if the local board of education member has no knowledge or reason to believe that the campaign contribution, if accepted, was given with the intent to influence the local board of education member in the discharge of his or her official duties. For purposes of this paragraph, a gift, favor, loan, contribution, service, promise, or other thing of value shall not include the items contained in subparagraphs (a)(2)(A) through (a)(2)(J) of O.C.G.A. Section 16-10-2.
4. No board member shall use, or knowingly allow to be used, his or her official position or any information not generally available to the members of the public which he or she receives or acquires in the course of and by reason of his or her official position for the purpose of securing financial gain for himself or herself, any of his or her immediate family members, or any business organization with which he or she is associated.
5. No board member or any of his or her immediate family members or any business organization in which he or she has an interest shall represent any person or party other than the local board of education or local school system in connection with any cause, proceeding, application, or other matter pending before the local school

system in which he or she serves or in any proceeding involving the local school system in which he or she serves.

6. No board member shall be prohibited from making an inquiry for information on behalf of a constituent if no fee, reward, or other thing of value is promised to, given to, or accepted by the local board of education member or any of his or her immediate family members in return therefor.
7. No board member shall be deemed in conflict with these provisions if, by reason of his or her participation in any matter required to be voted upon by the local board of education, no material or monetary gain accrues to him or her as a member of any profession, occupation, or group to any greater extent than any gain could reasonably be expected to accrue to any other member of that profession, occupation, or group.
8. No board member may also be an officer of any organization that sells goods or services to that local school system, except as provided in Code Section 20-2-505 and excluding nonprofit membership organizations.
9. No board member shall sell to any county board any supplies or equipment used, consumed, or necessary in the operation of any public school in this state unless there are fewer than three sources for such supplies or equipment within the county; provided, however, that any purchase pursuant to this subsection for supplies or equipment that is equal to or greater than \$10,000.00 shall be approved by a majority of the members of the board in an open public meeting. Any member violating this shall be guilty of a misdemeanor.
10. No local board may do business with a bank or financial institution where a board member is an employee, stockholder, director or officer when such member owns 30% or more stock in that institution.
11. No board member may have a financial interest in school buses, bus equipment or supplies, provide services for buses owned by the board, or sell gasoline to the board from a corporation in which the board member is a shareholder.
12. No board member shall accept a monetary fee or honorarium in excess of \$101.00 for a speaking engagement, participation in a seminar, discussion panel, or other activity which directly relates to the official duties of that public officer or the office of that public officer. Actual and reasonable expenses for food, beverages, travel, lodging, and registration for a meeting which are provided to permit participation in a panel or speaking engagement at the meeting shall not be monetary fees or honoraria.

Conduct As Board Member

1. No board member shall disclose to or discuss with any information which is subject to attorney-client privilege belonging to the local board of education to any person other than other board members, the board attorney, the local school superintendent, or persons designated by the local school superintendent for such purposes unless such privilege has been waived by a majority vote of the whole Board.
2. No board member shall vote on the employment or promotion of any of his or her immediate family members. No immediate family member of a board member may be employed or promoted unless a public, recorded vote is taken separately from all other personnel matters.
3. No board member may be employed in any position in the school district in which they serve.
4. No board member shall hold another county office.
5. No board member shall be employed by the State Department of Education or serve concurrently as a member of the State Board of Education.
6. No board member shall serve on the governing body of a private elementary or secondary educational institution.
7. Each member of this board understands and acknowledges that no person shall be eligible for election as a member of a local board of education unless he or she:
 - o Has read and understands the code of ethics and the conflict of interest provisions applicable to members of local boards of education and has agreed to abide by them; and
 - o Has agreed to annually disclose compliance with the State Board of Education's policy on training for members of local boards of education, the code of ethics of the local board of education, and the conflict of interest provisions applicable to members of local boards of education.
8. Each person offering his or her candidacy for election as a member of a local board of education shall file an affidavit with the officer before whom such person has qualified for such election prior to or at the time of qualifying, which affidavit shall affirm that he or she meets all of the qualifications required pursuant to this subsection. This subsection shall apply only to local board of education members elected or appointed on or after July 1, 2010.

Appendix C

Policy**Descriptor Code: LEC****Booster Organizations**

The Henry County Board of Education (“Board”) authorizes the organization of Booster Clubs and Parent/Teacher Organizations (PTO) (“Organization(s)”) for the purpose of promoting community involvement in support of the schools of the Henry County School District (“School District”).

All such Organizations must receive the written approval of the school principal prior to commencing operation. The Organization seeking approval must furnish the following information to the school principal:

- An official application to form an Organization.
- Proposed constitution and bylaws for the operation of the Organization.

The superintendent is authorized to establish minimum standards for development of the Organization’s constitution and bylaws.

Organization officers shall submit a copy of their annual budget to the principal prior to adoption of the budget by the membership. Financial records shall be audited or reviewed at the end of each school year and a copy of the report submitted to the principal.

The Board recognizes that Organizations operate with significant autonomy. However, the Board holds such Organizations accountable for complying with all applicable laws and Board of Education policies, and for following all acceptable accounting procedures. The Board, the school and the School District assumes no accountability or liability for Organization funds or how said funds are handled by the Organization.

Organizations are not permitted to act as an agent of the Board, the school, or the School District.

Organizations shall not engage in activities in the interest of a school without the expressed written permission of the principal. No Organization may require or mandate that students or parents of students participate in the Organization’s fundraising activities in order to be involved in the activity, which the Organization supports.

The principal may suspend or terminate any Organization for inappropriate conduct or activity. All funds remaining in the treasury of a dissolved Organization shall be spent to support the particular program the Organization was established to support.

Under no circumstances shall the Organization funds be commingled in any account with school activity funds, Board funds, or School District funds. Organizations may donate funds and equipment to individual schools or to the School District. When these funds are deposited in a school, Board or School District account, the Organization relinquishes all control over these funds.

Appendix D

Regulation**Descriptor Code: LEC-R(1)****Booster Organizations - Administrative Procedures**

Booster organizations, including Booster Clubs and Parent/Teacher Organizations (“Organizations”), are an important resource for supporting academic, athletic, and extracurricular programs in Henry County Schools. The following regulations have been established by the Henry County Board of Education (“Board”) to ensure that all such organizations operate appropriately and effectively within the Henry County School District (“School District”).

1. A school Organization exists only to support the school and its programs.
2. Each Organization must be approved by the school principal.
3. Each Organization shall have a written constitution and bylaws which state the organization’s purpose, role, objectives, and procedures for financial audits. The constitution and bylaws should be reviewed yearly. The organization’s officers and duties of officers shall be stated in this document.
4. A copy of each Organization’s annual budget must be submitted to and approved by the principal before the Organization activities commence each year. Each Organization will have a written mission with clear-cut objectives.
5. All fundraising activities and projects to be conducted by the Organization must have prior approval of the principal. Organizations must follow all Board regulations pertaining to fundraising activities.
6. Neither the Board, the school, nor the School District, will be responsible for any debt incurred by the Organization.
7. Each Organization shall obtain a federal tax identification number. The Organization may not use a school’s tax identification number or a school’s tax exempt status for any reason.
8. The principal or his/her designee may attend all Organization meetings. Sponsors/coaches of each individual activity should attend the Organization meetings of their particular organization.
9. The principal or his/her designee, along with the Organization, will work together to ensure that all Organization meetings are scheduled at a mutually convenient date, site, and time.
10. Each Organization is to develop a written yearly budget with input from the sponsor/coach and the principal. The Organization’s budget should help support the program’s needs.
11. All school requests for assistance from an Organization must be approved through the principal.
12. All gifts or donations to the school by the Organization will be accepted by the principal with a signed statement indicating that they are to become the property of the school (HCBOE Policy JL - Gifts).
13. Each Organization will have in its constitution certain procedures for an annual financial audit or review. The principal will receive a copy of the annual audit report or review as well as a monthly financial report for each Organization. The principal

has the right and the authority to request an audit of the Organization's financial records at any time.

14. All questions by the Organization members concerning policy or procedures of the Board are to be directed to the principal or his/her designee.
15. Each Organization will have prescribed accounting procedures to ensure all funds have accurate financial accounting. At a minimum, these procedures shall include the following:
 - Purchasing procedures to assure that no cash purchases are made.
 - Check writing procedures to assure that two unrelated officers of the Organization sign each check issued. No sponsor/coach will be allowed to co-sign a check issued for support of their activity.
 - Each check issued will be supported by a paid receipt of an invoice for goods/services rendered on behalf of the Organization.
 - Bank statements shall be reconciled and signed in a timely manner by two members designated by the Organization.
 - The Organization should require that its treasurer be bonded.
 - An audit or review of the Organization's financial records will be conducted on an annual basis (within six months of the fiscal year-end).
 - An annual budget for the Organization shall be approved by the membership prior to its implementation. The Organization's fiscal year should be July 1 – June 30.
 - Monthly financial statements shall be made available to the membership of the Organization and to the principal in a timely manner.
 - Provisions will be in place for the Finance Department to offer a yearly opportunity for the training of new treasurers.