

Gene Witt Elementary
Parent Teacher Organization
Bylaws



ARTICLE I: NAME

The name of this organization shall be Gene Witt Elementary PTO, Inc., whose address is 200 Rye Road E, Bradenton, FL 34212.

ARTICLE II: PURPOSE STATEMENT

This corporation is organized for the purpose of supporting the education of children at Gene Witt Elementary by fostering relationships between the school administration, teachers, and parents. The organization shall provide service for school functions, engage in fundraising projects, encourage parent involvement, and cooperate with school administration in providing educational opportunities.

ARTICLE III: POLICIES

The policies shall be developed through meetings, conferences and committees, and shall not direct or control the administrative activities of the school.

ARTICLE IV: MEMBERSHIP AND VOTING

SECTION I: General Members shall be:

- a. All parents, step-parents, or legal guardians of current Gene Witt Elementary students
- b. All Gene Witt Elementary teachers, administrators, and support staff
- c. All Gene Witt Elementary SAC members

SECTION II: Honorary Members may be patrons and community members who take an active interest in Gene Witt Elementary. Honorary Membership status must be renewed every school year and will be done at the discretion of the Executive Board.

SECTION III: Voting Members shall be all General Members who have attended two (2) or more meetings. Voting Members shall have the right to vote on all issues before the organization and to elect officers.

ARTICLE V: THE EXECUTIVE BOARD

SECTION I: The Executive Board shall minimally include a President, Vice President, Recording Secretary, Corresponding Secretary, and Treasurer. No Executive Board Member shall hold more than one (1) office at a time.

ARTICLE VI: DUTIES

SECTION I: Duties of the Executive Board

- a. Establish the objectives of the organization and determine the policy for the development of the objectives
- b. Establish an annual budget to be submitted for approval at the first General Meeting
- c. Hold regularly scheduled General Meetings during the school year
- d. Conduct necessary business in the intervals between meetings
- e. Create standing committees and appoint Chairperson(s)
- f. Approve the work plans of Committee Chairperson(s)
- g. Appoint new board members when the need arises
- h. Receive approval from the school Principal for all planned activities; obtain prior approval from the Principal for any material such as order forms, activity information, etc., that is to be sent home
- i. The Executive Board has the authority to reassign specific job duties as required
- j. Special Meetings may be called by the President or by any member of the Executive Board if needed; see Article VII, Section II

SECTION II: Duties of the President

- a. Shall preside at all General, Special, and Executive Board meetings
- b. Coordinate the work of the Committee Chairperson(s) in order that the objectives of the organization may be accomplished
- c. Serve as an authorized secondary signatory of all PTO checks, Treasurer first signatory

SECTION III: Duties of the Vice President

- a. Aid the President, performing the duties of the President in the event of his/her absence or inability to serve
- b. Should the President be unable to complete his/her term, the Vice President will assume the office of President
- c. Work with local high school clubs to recruit volunteers. Coordinate with PTO Board and Committee Chairperson(s) to plan volunteer groups needed for events. Committee chairperson(s) will be in charge of volunteers at event
- d. Work with PTO Board Members and Committee Chairperson(s) to coordinate items already in storage before new items are purchased
- e. Maintain responsibility of Homeroom Coordinator
 - a. Set up a Room Parent Meeting to distribute and/or explain necessary information
 - b. Coordinate with Room Parents to ensure that the appropriate volunteers are present for their specific PTO/school related event(s)

SECTION IV: Duties of the Recording Secretary

- a. Record the official minutes of General, Special, and Executive Board meetings
- b. Distribute a summary of the minutes within seven school days to the Board
- c. Distribute the by-laws to all Executive Board Members and other interested parties

SECTION V: Duties of the Corresponding Secretary

- a. Send emails to PTO email list, —monitor and maintain PTO email via Gmail account in conjunction with other board members
- b. Post Facebook announcements, —monitor and maintain PTO Facebook account in conjunction with other board members

SECTION VI: Duties of the Treasurer

- a. Work with the Executive Board to create an annual budget that shall be presented at the first and last General Meeting of each school year
- b. Present a financial statement at each PTO meeting
- c. Serve as first authorized signatory on all PTO accounts
- d. Place all monies in an account depository approved by the Executive Board
- e. Keep an accurate record of receipts and expenditures
- f. Make all deposits within 30 days of receiving them
- g. Make all payments and disbursements within 30 days of receiving an invoice or expense report

SECTION VII: Duties of Committee Chairperson(s)

- a. Report the plans and activities of the committee to the Executive Board
- b. Use the event budget to purchase necessary supplies and materials; money spent in excess of the budget must have written approval from the Executive Board
- c. Any items for long-term use (Capital Purchases) must have approval before purchase is made by committee
- d. Manage all monies received during an event, submit the necessary paperwork for deposit, and deliver to Treasurer within 10 days of event date
- e. Maintain receipts of purchases, file the necessary paperwork for reimbursement and submit to Treasurer within 10 45 days of event date
- f. Update event records at the conclusion of the event; updated records should be turned over to the Executive Board within 30 days of the event

ARTICLE VII: MEETINGS

SECTION I: There will be regularly scheduled General Meetings throughout the school year. General and Honorary Members are welcome to attend.

SECTION II: Special Meetings may be called by the President or by any two (2) members of the Executive Board. The time and place of all Special Meetings shall be announced at least seven (7) days in advance, except in the case of an emergency.

SECTION III: In the event of bad weather, meetings may be cancelled and rescheduled at the discretion of the President, School Administration, or the School District of Manatee County.

SECTION IV: The quorum shall be two (2) of the Executive Board Members and four (4) General Members present.

ARTICLE VIII: TERMS OF SERVICE

SECTION I: Each Executive Board Member shall serve a term of one (1) school year, and may serve no more than three (3) consecutive terms in the same office. For Board Members who have served previously on the board, only the year of service in effect at the date the by-laws are adopted will be counted. The term of the office shall end on the last day of the school year and the new officer shall begin their term immediately thereafter.

SECTION II: Immediately following the election, the newly-elected Executive Board Member shall begin working with the outgoing member until the completion of the outgoing officer's term. Only the outgoing Executive Board Member shall have voting authority during this time of transition.

SECTION III: Removal from office – A Special Meeting will be held to address the removal of any Executive Board Member. The removal shall be for gross incompetence, intentional neglect, or misconduct and shall require a majority vote.

SECTION IV: Any vacancy of office due to death, resignation, removal, or inability to serve shall be filled through a Special Election. However, should a vacancy occur in the office of President, the Vice President shall immediately assume the position.

SECTION V: Nominations for PTO Board positions will be accepted at the April General Meeting. Nominations will be accepted by the PTO Board and/or committee as stated during the PTO Meeting. A slate of officers for election shall be announced at least ten (10) days prior to the May General Meeting. The election of officers shall be held during the last General Meeting of the school year (May). Nominations may not be made from the floor unless to fill a vacant position. Voting will be by voice vote, if a slate is presented. A ballot vote will be taken if more than one person is running for an office.

ARTICLE IX: FINANCES

SECTION I: The organization's fiscal year shall begin July 1 and end June 30.

- a. A budget of anticipated revenue and expenses for the year shall be presented to the organization at the beginning of the school year. This budget shall be used as a guide for the activities during the year and any substantial deviation from the budget must be approved at a General Meeting in advance.

SECTION II: The organization shall retain a certified public accountant. The Treasurer shall keep accurate records of disbursements, income, and bank account information. All deposits and/or disbursements shall be made within a maximum of 30 days from the receipt of the funds and/or orders of payment.

SECTION III: The Treasurer shall present a financial report at each General Meeting and shall prepare a final report at the close of the school year. No later than July 15, the reports and accounts shall be turned over to the elected treasurer for review and sent to the certified public accountant hired by PTO.

SECTION IV: No loans shall be made by the organization to officers and/or members.

SECTION V: Two (2) authorized signatures shall be required on each check. Authorized signers shall be the President and the Treasurer.

SECTION VI: No reimbursements will be made without original, valid receipts.

SECTION VII: Dissolution – Upon the dissolution of the organization, any remaining funds should be used to pay outstanding bills, and with membership’s approval, spent for the benefit of the school.

ARTICLE X: NOMINATION AND ELECTION

SECTION I: A nominating committee of two (2) General Members and one (1) Executive Board Member shall be created in March for the purpose of bringing forth nominations for the General Elections.

SECTION II: Nominations shall be made at the April General Meeting. A slate of persons running for offices shall be presented at the May General Meeting and additional nominations may be received from the floor only to fill vacant positions.

SECTION III: If there is only one (1) candidate for any office, by motion of the floor, the election for that office may be completed by a show of hands. There will be a ballot vote for an office if there is more than one (1) candidate for any running for that office. A majority of the votes cast by Voting Members shall be necessary for ballot election. Should no person receive a majority of the votes cast, a run-off between the two (2) who received the largest number of votes shall be immediately held.

ARTICLE XI: CONFLICT OF INTEREST

SECTION I: The purpose of the conflict of interest policy is to protect this tax-exempt organization’s interest when it is contemplating entering into a transaction or arrangement that might benefit the private interest of an officer of the organization or might result in a possible excess benefit transaction. This policy is intended to supplement but not replace any applicable state and federal laws governing conflict of interest applicable to nonprofit and charitable organizations.

SECTION II: Definitions

- 1.** Interested Person - any director, principal officer, or member of a committee with governing board-delegated powers who has a direct or indirect financial interest, as defined below, is an interested person.
- 2.** A person has a financial interest if the person has, directly or indirectly, through business, investment, or family: an ownership or investment interest in any entity with which the organization has a transaction or arrangement; a compensation arrangement with the organization or with any entity or individual with which the organization has a transaction or arrangement; or a potential ownership or investment interest in, or compensation arrangement with, any entity or individual with which the organization is negotiating a transaction or arrangement.
- 3.** Compensation included direct and indirect remuneration as well as gifts or favors that are not insubstantial.

- 4.** A financial interest is not necessarily a conflict of interest. Under Section 3, a person who has a financial interest may have a conflict of interest only if the appropriate governing board or committee decides that a conflict of interest exists.

SECTION III: Procedures

- 1.** In connection with any actual or possible conflict of interest, an interested person must disclose the existence of the financial interest and be given the opportunity to disclose all material facts to the directors and members of committees with governing board-delegated powers who are considering the proposed transaction or arrangement.
- 2.** After disclosure of the financial interest and all material facts, and after any discussion with the interested person, he/she shall leave the governing board or committee meeting while the determination of a conflict of interest is discussed and voted upon. The remaining board or committee members shall decide whether a conflict of interest exists.
- 3.** An interested person may make a presentation at the governing board or committee meeting, but after the presentation, he/she shall leave the meeting during the discussion of, and the vote on, the transaction or arrangement involving the possible conflict of interest.
- 4.** The chairperson of the governing board or committee shall, if appropriate, appoint a disinterested person or committee to investigate alternatives to the proposed transaction or arrangement. After exercising due diligence, the governing board or committee shall determine whether the organization can obtain, with reasonable efforts, a more advantageous transaction or arrangement from a person or entity that would not give rise to a conflict of interest.
- 5.** If a more advantageous transaction or arrangement is not reasonably possible under circumstances not producing a conflict of interest, the governing board or committee shall determine by a majority vote of the disinterested directors whether the transaction or arrangement is in the organization's best interest, for its own benefit, and whether it is fair and reasonable. In conformity with the above determination, it shall make its decision as to whether to enter into the transaction or arrangement.
- 6.** If the governing board or committee has a reasonable cause to believe a member has failed to disclose actual or possible conflicts of interest, it shall inform the member of the basis for such belief and afford the member an opportunity to explain the alleged failure to disclose.
- 7.** If, after hearing the member's response and after making further investigation as warranted by the circumstances, the governing board or committee determines that the member has failed to disclose an actual or possible conflict of interest, it shall take appropriate disciplinary and corrective action.

SECTION IV: Compensation

- 1.** A voting member of the governing board who receives compensation, directly or indirectly, from the organization for services is precluded from voting on matters pertaining to that member's compensation.
- 2.** A voting member of any committee whose jurisdiction includes compensation matters and who receives compensation, directly or indirectly, from the organization for services is precluded from voting on matters pertaining to that member's compensation.

- 3.** No voting member of the governing board or any committee whose jurisdiction includes compensation matters and who receives compensation, directly or indirectly, from the organization, either individually or collectively, is prohibited from providing information to any committee regarding compensation.

SECTION V: Periodic Reviews – To ensure that the organization operates in a manner consistent with charitable purposes and does not engage in activities that could jeopardize its tax-exempt status, periodic reviews shall be conducted. The periodic reviews shall, at a minimum, include whether compensation arrangements/benefits are reasonable and that arrangements with management organizations conform to the organization’s written policies, are properly recorded, reflect reasonable investment or payments for goods and services, further charitable purposes, and do not result in impermissible private benefit, or an excess benefit transaction.

ARTICLE XII: AMENDMENT OF BYLAWS

SECTION I: These bylaws can be amended at any General Meeting of the Gene Witt Elementary PTO by a two-thirds majority vote of the Executive Board and General Members in attendance.

SECTION II: The bylaws may be reviewed and/or revised by the Executive Board as necessary to meet changing conditions in the school and community. All revisions shall be brought to a vote of the General Membership.

These bylaws were adopted by the Gene Witt Parent Teacher Organization by a majority vote during a General Meeting properly called on December 1, 2022 and shall take effect immediately.