

BYLAWS OF IRA F. SIMMONS MIDDLE SCHOOL PARENT TEACHER ORGANIZATION

These Bylaws are entered into as of the 27th day of April, 1998, and last amended on April _____, 2015 as follows:

ARTICLE I: Name

The name of this organization is the Ira F. Simmons Middle School ("Simmons Middle School") Parent Teacher Organization ("PTO"), Hoover, Alabama. It is an autonomous unit affiliated with no other local, state, or national organization.

ARTICLE II: Bylaws

The Bylaws of this PTO ("Bylaws") are contained in this document.

ARTICLE III: Purposes and Objects

Section 1. The purposes and objects of this PTO are:

- a. To promote the welfare of children attending Simmons Middle School in the home, school, and community;
- b. To directly support the activities, educational programs, and facilities needs of Simmons Middle School through membership volunteers and financial support;
- c. To foster relationships between parents, teachers, staff, and administrators so that they are working together to ensure that all students at Simmons Middle school obtain the best education possible;
- d. To share resources;
- e. To secure and share with its members information concerning applicable laws, regulations, developments in child health, child development, educational research and technologies, and all other relevant information regarding the educational welfare of children;
- f. To develop between educators and the general public such united efforts as will secure for all the children the highest advantages in physical, mental, social, and spiritual education; and
- g. To operate as a nonprofit organization.

Section 2. The objects and purposes of this PTO are promoted through an educational program directed toward parents, teachers and the general public; are developed through

conferences, committees, projects and programs; and are governed and qualified by the basic policies set forth in Article VI.

Section 3. This PTO shall have the power to do all lawful acts necessary or desirable to carry out its purposes consistent with Section 501c(3) of the IRC and with applicable law regarding similar unincorporated associations in the State of Alabama.

ARTICLE IV: Duration

This PTO shall continue in existence from July 1, 1998, until terminated or disbanded in accordance Article V. herein, or until there are no current members, whichever occurs first.

ARTICLE V: Procedure for Dissolution

Section 1. This PTO shall be dissolved in the following manner:

- a. The Executive Board, as defined in Article XII Section 1, herein, shall adopt a resolution recommending that the PTO be dissolved and directing that the question of such dissolution be submitted to a vote at a meeting of the members. Written notice stating the purpose of such a meeting to consider the advisability of dissolving the PTO shall be given to each member entitled to vote at least thirty (30) days prior to the date of such meeting, as provided in Article XIII, Section 1.c. herein.
- b. Only those persons who were members in good standing in the PTO on the date of the adoption of the resolution and who continue to be members in good standing on the date of said meeting shall be entitled to vote on the question of such dissolution.
- c. Approval of dissolution of this PTO shall require affirmative vote of at least two-thirds (2/3) of the members present and entitled to vote at said meeting, a quorum being present.

Section 2. Upon dissolution of this PTO, after paying or adequately providing for the debts and obligations of the PTO, the remaining assets shall be distributed to either Simmons Middle School's general fund or one or more non-profit funds, foundations, or organizations which have established their tax exempt status under Section 501c(3) of the IRC.

Article VI: Basic Policies

Section 1. The following are basics of the PTO:

- a. The PTO shall be non-commercial, non-secretarian, and non-partisan;
- b. The name of this PTO or the names of any of its members in their official capacities on behalf of this PTO shall not be used in any connection with a commercial concern or with any partisan interest or for any purpose not appropriately related to promotion of the objects or purposes of this PTO;
- c. This PTO shall not, directly or indirectly, participate in or intervene in any political campaign on behalf of, or in opposition to any candidate for public office. Nor shall this PTO devote more than an insubstantial part of its activities in any attempt to influence legislation by propaganda or otherwise and only then to the extent permitted by applicable federal and state laws, provided, however, that in no event shall this organization engage in such activities will, or might tend to, result in the revocation of its exempt status under IRC Section 501c(3).
- d. The PTO shall work with Simmons Middle School to provide quality education for all children and youth, and shall participate in the decision-making process establishing school policy, recognizing that the legal responsibility to make decisions has been delegated by the people to the boards of education.
- e. The PTO may cooperate with other organizations and agencies concerned with child welfare, but persons representing this PTO in such matters shall make no commitments that bind this PTO.
- f. The Bylaws will be reviewed and revised, if needed, every school year. This will take place in a timely fashion to permit approval of any amendments or revisions no later than the last General Meeting of the PTO during the same school year. Procedures for such review and revision are further specified in Article XI, Section 2.h. and Article XVIII herein. Upon approval of the voting membership, the revised Bylaws become immediately effective.
- g. This PTO shall spend on an annual basis whatever is allocated in the budget. A minimum of \$1,500 will be allocated as a carryover every year to cover expenses incurred during the summer months prior to the new budget being approved by the PTO. If additional money begins to accumulate during the fiscal year, the current Executive Board will decide as necessary where to allocate the excess funds. If money is left over at the end of the fiscal year, the new Executive Board will allocate those funds accordingly in the budget for the current year.

ARTICLE VII: Powers

This PTO shall have the power to do all lawful acts necessary or desirable to carry out its purposes consistent with Section 501c(3) of the IRC and with applicable law regarding similar unincorporated associations in the State of Alabama

ARTICLE VIII: Service of Legal Notice

The mailing address to which parties shall mail any notice required by law shall be:

Ira F. Simmons Middle School Parent Teacher Organization
1575 Patton Chapel Road
Hoover, AL 35226
Attention: President

ARTICLE IX: Membership and Dues

Section 1. Membership in this PTO shall be made available without regard to race, color, creed, or national origin, under such rules and regulations as may be prescribed in the Bylaws of the PTO, to any individual who subscribes to the objects and basic policies of this PTO.

Section 2. The PTO shall conduct an annual enrollment of members, but persons may be admitted to membership at any time.

Section 3. Each member of the PTO shall pay annual dues as may be determined annually by the Executive Board of the PTO. Such dues shall become part of the yearly PTO budget.

Section 4. Membership to this PTO shall begin upon payment of the dues specified above and shall expire on the first day of any new school year following the payment of said dues.

Section 5. Only members of the PTO shall be eligible to vote in the Meetings as defined in Article XIII or to serve in any of its elected or appointive positions as defined in Article X, Section 2 and Article XIV, Section 2.

ARTICLE X: Officers and Their Election or Appointment

Section 1. Each officer of this PTO shall be a member of this PTO.

Section 2. Officers and their election or appointment:

- a. The elected officers of this PTO shall consist of a President, President-Elect, First Vice President, Second Vice President, Third Vice President, Secretary, and a Treasurer.
- b. The appointed officer of this PTO shall be the Parliamentarian.
- c. Elected officers shall be elected by ballot annually no later than the month of May. However, if there is only one nominee for any of the offices, election of those offices may be by voice vote. The ballot and announcement will be presented before the May meeting.
- d. Appointed officers shall be appointed by the President-Elect of this PTO immediately following the election of officers and prior to the assumption of his official duties no later than July 1.
- e. Officers shall assume their official duties no later than July 1 following the close of the fiscal year during which they are elected or appointed but shall have the opportunity to meet as necessary as an Executive Board-Elect as provided in Article XIII, Section 4, herein. Officers shall serve for a term which expires at the end of the fiscal year for which they are elected or appointed or until their successors assume their official duties.
- f. No member shall hold more than one office at any time.
- g. No officer will be eligible to serve more than two consecutive terms in the same office.
- h. Two people may not serve in one office.

Section 3. Nominating Committee

- a. The nominating committee ("Nominating Committee") shall consist of five members, one of whom shall be elected by the Executive Board from its body no later than the February session of its regular monthly meeting, one from the Simmons Middle School administration, as appointed by the principal, and three people elected by the PTO at least one month prior to the election of officers. The committee shall elect its own chairman.
- b. As soon as the Nominating Committee has been determined, the President of the current Executive Board will provide such committee with a copy of the current PTO Bylaws which will include a job description of each officer position to be filled and any other information necessary for the Nominating Committee to complete its task.

- c. The term of the Nominating Committee will begin upon its election of the members and will terminate upon the election of officers at the General Meeting to be held no later than May of each year.
- d. The Nominating Committee shall nominate one person for each office to be filled and report its nominees at the General Meeting to be held no later than May, at which time additional nominations may be taken from the floor.
- e. Only those persons who have consented to serve if elected shall be eligible for nomination, either by the committee or from the floor.
- f. Nominations for office.
 - 1. Each officer shall be a member of this PTO in the year in which he/she serves.
 - 2. If during the time the Nominating Committee has convened, the President-Elect has indicated that he is unable to assume the duties of the President, the Nominating Committee will then offer the position first to the current President. If that person declines, the position will then be offered to a current or former member of the Executive Board. If he declines, the Nominating Committee will then seek a nomination for this position from the general membership.

Section 4. Vacancies

- a. President: In case a vacancy occurs in the office of President, the President-Elect shall act as the President for the remainder of the unexpired term.
- b. President-Elect: Should a vacancy occur in the office of President-Elect during a time other than when the Nominating Committee has convened, as discussed in Article X, Section 3.h.2. above, the current Executive Board shall elect a person to fill this position. Their first nomination will be offered to the current President. If he declines, the nomination will then be offered to a current or former Executive Board member. If he declines, the general membership will be considered for election to the position.
- c. Other offices or committees: A vacancy occurring in any other office or in the chairmanship of a Standing or Special Committee, as defined in Article XIV, herein, shall be filled for the unexpired term by a person elected by a majority vote of the Executive Board.
- d. After a person has been elected by the Executive Board, he immediately assumes his official duties and shall serve for a term which expires at the end of the fiscal year for which he is elected or until his successor is elected and assumes his official duties.

Article XI: Duties of Officers

Section 1. The President shall:

- a. Preside at all meetings of the PTO;
- b. Be a member ex-officio of all committees except the Nominating Committee;
- c. Coordinate the work of the officers and committees of the PTO in order that the objects can be promoted;
- d. Represent the PTO at meetings of the Hoover Parent Teacher Council (HPTC) or any similar council of area associations; and
- e. Perform such other duties as may be delegated to him.

Section 2. The President-Elect shall:

- a. Preside in the absence of the president;
- b. Serve as President for the remainder of any unexpired term if the current President is unable to complete his term, as provided in Article X, Section 4. herein;
- c. Serve as President the year following the President-Elect term;
- d. Assist the President as needed;
- e. Be an ex-officio member of all committees, except the Nominating Committee
- f. See that the Bylaws are reviewed and revised, if needed, by April of every school year as further specified in Article VI, Section 1.f. and Article XVIII, herein;
- g. Serve as a member of the Bylaw Committee, as defined in Article XVIII, Section 1. Herein; and
- h. Be responsible for purchasing an outgoing President's gift. This gift shall be presented at the May meeting.
- i. Perform such other duties as delegated to him.

Section 3. The First Vice President shall:

- a. Preside in the absence of the President and President-Elect;
- b. Serve as chairman of the Volunteer Committee; and
- c. Perform such other duties as may be delegated to him.

Section 4. The Second Vice President shall:

- a. Preside in the absence of the President and President-Elect and First Vice President;
- b. Serve as chairman of the Registration Committee and
- c. Perform such other duties as may be delegated to him.

Section 5. The Third Vice President shall:

- a. Preside in the absence of the President, President-elect, First Vice President and Second Vice President;
- b. Review and explore fundraising opportunities;
- c. Coordinate fundraising events;
- d. Perform such other duties as may be delegated to him.

Section 6. The Secretary shall:

- a. Record the minutes of all meetings of the PTO, the Executive Board and when unable to attend a meeting, enlist someone from the Executive Board to record such meetings;
- b. Prepare and make available copies of minutes for all Executive Board members; and
- c. Maintain a copy of all minutes with attachments for reference and safekeeping;
- d. Have a current copy of the Bylaws;
- e. Maintain a membership list Conduct all correspondence of the PTO;
- f. Notify officers and Executive Board members of their election; and
- g. Perform such other duties as may be delegated to him.

Section 7. The Treasurer shall:

- a. Keep full and accurate accounts of receipts and expenditures;
- b. Present a financial statement at every meeting of the PTO and at other times when requested by the Executive Board;
- c. Be responsible for maintenance of records; and
- d. Perform such other duties as may be delegated to him.

Section 8. Parliamentarian shall:

- a. Advise the presiding officers, upon request of said officers, on questions of parliamentary law, and matters of procedure;
- b. Utilize the PTO's Bylaws, special rules of order, and the current edition of Robert's Rules of Order, Newly Revised in rendering such advice;
- c. Maintain the Bylaws and standing rules;
- d. Prepare for the Executive Board as needed a presentation in which he will explain all aspects of the Bylaws and their importance;
- e. Serve as Chairman of the Bylaws Committee; as defined in Article XVIII, Section 1. herein; and

- f. Perform such other duties as may be delegated to him.

Section 9. All officers shall deliver to the President without delay no later than June of the year in which the officer leaves office, or immediately upon resignation, all records, books, and other materials pertaining to the office.

ARTICLE XII: Executive Board

Section 1: The Executive Board of this PTO shall consist of the officers of the PTO, as defined in Article XIV, Section 3. herein, and the Principal of Simmons Middle School or a representative appointed by him. The chairmen of the Standing Committees shall be selected by the Executive Board of the PTO.

Section 2. The duties of the Executive Board shall be:

- a. To transact necessary business in the intervals between PTO General Meetings and such other business as may be referred to it by the PTO;
- b. To create Standing and Special Committees, as defined in Article XIV, Section 3. and 4. herein, and elect their Chairmen;
- c. To approve the plans of work of the Standing and Special Committees;
- d. To present a report at the General Meetings of the PTO;
- e. To prepare and submit to the PTO for adoption a budget for the year;
- f. To approve bills not included in the budget; and
- g. To review the financial statements presented by the Treasurer pursuant to Article XI, Section 7.b. herein.
- h. To review and approve teacher grants. The purpose of the grants is to provide additional resources to enhance academics.*

Section 3. Terms of the Executive Board Members:

Executive Board members officially assume their duties the month following the close of the fiscal year (July), and their term will end in June of the following year, or until their successors are duly elected or appointed and assume their official duties. However, the new Executive Board will meet as necessary prior to the official commencement of their term as

an Executive Board-Elect in order to plan and establish priorities for the coming year as provided in Article XIII, Section 4.herein.

ARTICLE XIII: Meetings

Section 1: General Meetings

At least two (2) general meetings to include the entire membership (“General Meetings”) of the PTO shall be held during the school year. Dates of these meetings shall be determined by the Executive Board working with the Principal. Members will be given at least five (5) days’ notice of these General Meetings. Additional requirements for these General Meetings include, but are not limited to:

- a. At the first General Meeting, the members shall vote on the adoption of the PTO’s budget as approved by the Executive Board along with any other business to be conducted. This will be known as the Annual Meeting.
- b. The nominations for the officers for the coming year’s Executive Board will be presented by the Nominating Committee and will be elected in a General Meeting to be held no later than May;
- c. Members will be given at least five (5) days’ notice of any votes to be taken at such General Meeting with exception of amending the Articles and Bylaws of the PTO, when members will be given at least ten (10) days’ notice as discussed in Article XVIII herein and with the exception of a vote on dissolution of the PTO, requiring a thirty (30)-day notice as discussed in Article V herein.

Section 2. Executive Board Meetings

All executive board members are encouraged to attend every executive board meeting. Regular meetings of the executive board shall be held during the school year, the time to be fixed at its first meeting of the year. Executive Board members will be given at least five (5) days’ notice of any change in the dates of these Executive Board meetings. Special meetings may be called by the President or a majority of the Executive Board. Five (5) days’ notice of such special meeting to the Executive Board is required to be given.

Section 3. Special meetings of the PTO may be called by the President or by a majority of the Executive Committee or Executive Board. Members will be given at least five (5) days’ notice of such date of meeting.

Section 4. Meetings of the Executive Board-Elect.

- a. If the Executive Board deems it necessary in order to plan and establish priorities for the coming year, they can meet during the period of time between their election and prior to their official assumption of duties in July as an Executive Board-Elect. Said meeting can be called by the current President-Elect who will become President during the coming year.
- b. No decisions made by the Executive Board-Elect shall be binding on those decisions to be made by the current Executive Board. The President and other members of the current Executive Board shall work with the Executive Board-Elect as requested to provide them with any information necessary.

Section 5. Quorum

- a. For purposes of General Meetings, a quorum will be defined as 40 members.
- b. For purposes of Executive Board meetings, a quorum will be determined by a majority of the officers and Standing Committee Chairmen.
- c. Calculation of Quorum and Voting Rights with Regard to One Person Holding Two Positions: If a person holds two positions as an officer and a chairman of a Standing Committee, or is the chairman of two Standing Committees, he will be counted once for each position held in calculation of a quorum. Further, that person is entitled to one vote for each position held.

ARTICLE XIV: Standing and Special Committees

Section 1. Only members of the PTO shall be eligible to serve in any elective or committee positions.

Section 2. The chairmen of all committees are elected by the Executive Board and shall serve until the fiscal year end of which they are elected or until their successors are duly elected and assume their official duties.

Section 3. Standing Committees. The standing committees ("Standing Committees") are those committees who remain in existence throughout the school year. The Executive Board

will create additional Standing Committees as it may deem necessary to promote the objects and carry on the work of the PTO.

Section 4. Special Committees. The special committees (“Special Committees”) are created and appointed by the Executive Board for a specific purpose and automatically go out of existence when the Special Committee’s work is done.

Section 5. No committee work shall be undertaken without the consent of the Executive Board.

Section 6. All chairmen of any Standing or Special Committees shall deliver to the President without delay no later than June of the year in which the Standing or Special Committee’s work is complete, or immediately upon resignation, all records, books and other materials pertaining to the committee.

Section 7. The President and President-Elect shall be a member ex-officio of all committees except the Nominating Committee.

ARTICLE XV: Council Membership

Section 1. The PTO shall be represented in meetings of the HPTC, or any similar council of area associations, by the President or alternate. All representatives to a council must be members of the PTO, and their actions and authority shall be limited by the provisions of the Bylaws of this PTO, such that any action of such representatives which departs from the standard shall be null and void.

Section 2. This PTO shall pay at its discretion annual dues to such council as provided in said council bylaws.

ARTICLE XVI: Fiscal Year

The fiscal year of this PTO shall begin July 1 and end June 30.

ARTICLE XVII: Parliamentary Authority

The rules contained in the current edition of Robert’s Rules of Order, Newly Revised shall govern this PTO in all cases in which they are applicable and in which they are not in conflict with these Articles and Bylaws of this PTO.

ARTICLE XVIII: Amendments

Section 1. A committee shall be appointed by the Executive Board to submit any amendment to the Bylaws ("Bylaws Committee"). As provided in Article XI, Section 8. herein, the Parliamentarian shall serve as the chairman of such committee. After the Bylaw Committee has met and drafted such amendments, the committee shall then submit to the Executive Board for approval the draft of said amendments. After a two-thirds majority vote by the Executive Board to submit the amendments to the membership, notice shall be given to the membership as specified in Article XVIII, Section 2. below.

Section 2. These Bylaws may be amended at any meeting of the PTO by a two-thirds vote of the members present and voting, provided that notice of the meeting is given pursuant to Article XIII, Section 1.c. herein and provided further that copies of the proposed amendment shall be made available in the office of Simmons Middle School for members to review at least ten (10) days prior to the meeting at which the amendment shall be voted upon.

Article XIX: Budget & Accounting Procedures

Section 1. Budget and Accounting Procedures

- a. All funds of the Organization shall be held in the General Fund of Simmons Middle School in accordance with the requirements of the Southern Accreditation Committee for Secondary Schools. These funds shall be earmarked for the Organization. All money collected will be deposited into the Simmons Middle School General fund for the account of the Organization. All debts incurred by the Organization will be paid out of Organization funds held in said General Fund.
- b. The Treasurer is the primary contact with the Simmons Middle School bookkeeper and shall be responsible for overseeing the correctness of the financial accounting for the Organization. The Treasurer shall present an accounting of the financial activities of the Organization at each meeting of the Organization.
- c. Each committee should have an amount budgeted from the general funds. Each chairman is responsible for requesting specific authorization within the guidelines of his/her budget for the funds necessary for committee activities. All receipts and invoices should be

expeditiously given to the Treasurer for payment.

d. Unless otherwise designated for future projects, budgeted moneys will be used by June 30. On that date, the funds will revert back to the general budget of the Organization.

e. There shall be a \$1,500 minimum carryover of funds from one year to the next to cover start-up expenses for the following school year.