

**CONSTITUTION AND BY-LAWS**  
**TRACE ELEMENTARY PARENT TEACHER ORGANIZATION**  
**Revised, 2012**

**ARTICLE I NAME**

The name of this club shall be the Trace Elementary Parent Teacher Organization (PTO).

**ARTICLE II POLICIES**

1. The PTO shall be a forum in which parents and teachers can discuss their ideas and suggestions.
2. To provide educational as well as philanthropic support which shall be developed through committees, conferences, projects and fund raisers.
3. The PTO shall be non-profit, non-sectarian and non-partisan.

**ARTICLE III OBJECTIVES**

1. To bring into closer relationship the home, school and community.
2. To encourage family involvement.
3. To assist in the general welfare of the school and it's staff.
4. To provide philanthropic support for the academic, artistic, and social development of the Trace community.

**ARTICLE IV MEETINGS**

PTO meetings shall be conducted on a regularly scheduled basis (for example: second Tuesday of the month) to allow for continual communication between the Organization and the community, and to facilitate the participation of members. Special meetings may be

called by the Executive Board upon written notice three days prior to meeting date.

## **ARTICLE V MEMBERSHIP AND DUES**

**SECTION 1.** Any person interested in the objectives of the PTO and willing to uphold its policies and subscribe to its By-Laws may become a member upon payment of dues as hereinafter provided.

**SECTION 2.** Annual dues for the membership will be determined by the Board at the first meeting of the school year.

## **ARTICLE VI OFFICERS**

The officers of this organization shall be the President, Vice-President, Secretary and Treasurer. These positions may be shared by more than one individual.

The Executive Board shall consist of the officers of the organization, the Faculty Liaison and the Chairman of Committees.

## **ARTICLE VII DUTIES OF THE OFFICERS**

### **SECTION 1. Duties**

- (a)** The President shall preside at all meetings of the organization and shall be a member ex-officio of all committees except the Nominating Committee. The President shall appoint the Chairman of each standing committee and persons to fill vacancies, prepare an agenda for every Associate Executive Board meeting and serve as spokesperson. The President shall be responsible for submission of the School-Connected Organization Application to SJUSD at the start of every academic year.
- (b)** The Vice-President shall be in charge of Membership activities and in the absence of the President shall assume the President's duties.
- (c)** The Secretary shall keep an accurate record of all proceedings of the meetings and shall be prepared to refer

to the minutes of any previous meeting. The Secretary shall conduct all necessary correspondence of the organization and shall be responsible for the communication of all notices of the organization's meetings.

- (d) The Treasurer shall receive all monies for the organization and shall deposit them in the name of the organization in a bank approved by the PTO, and shall pay out monies only on warrant orders signed in accordance with Article XI. The Treasurer shall keep an accurate record of all receipts and disbursements, shall be prepared to present a statement of accounts at every regular meeting, and shall make a full report to the membership at the May meeting. The Treasurer shall be responsible for having the organization's tax returns prepared and filed at the end of every fiscal year. The Treasurer shall be responsible for registering the organization as a non-profit with the Secretary of State every year.

## **SECTION 2.**

Each officer, upon expiration of his/her term of office, shall turn over to his/her successor, without delay, all records, books, funds and other material pertaining to the office. Each officer shall serve as an advisor to the incoming officers for a transition period between the election and end of the academic year.

## **ARTICLE VIII APPOINTMENT AND ELECTIONS**

- SECTION 1.** The Nominating Committee shall consist of Executive Board Members and shall be formed no later than March of each school year. The Principal shall serve in an advisory capacity. The Nominating Committee will send out a flyer asking for nominations or volunteers to serve as Board Officers. Candidates will be phoned to confirm or accept the nomination.

- SECTION 2.** Officers shall serve for a term of one (1) academic year. No officer shall be eligible to hold the same office for more than two (2) consecutive terms. Officers shall be installed at a meeting in the Spring and assume the duties of their respective offices at the conclusion of the academic year.
- SECTION 3.** In the event of the resignation of the President, the Vice-President shall assume the duties of the President for the unexpired term.

### **ARTICLE IX AMENDMENTS**

These By-Laws may be amended by two-thirds (2/3) vote at any meeting provided notice has been given at the preceding regular meeting, or by written notice prior to the meeting. Each member may vote by proxy or by person. All proxies shall be in writing, dated and signed by the individual and filed with the secretary.

### **ARTICLE X RULES OF ORDER**

“Robert’s Rules of Order Revised” shall be the authority on all points not covered by these By-Laws.

Voting on any issue will require quorum (2/3) vote of the membership present.

### **ARTICLE XI FINANCE**

- SECTION 1.** An annual budget shall be prepared and presented for the majority approval of those members present by the October meeting.

- SECTION 2.** All warrants must carry the signature of at least two (2) of the following: Treasurer, Secretary, President or Vice-President.
- SECTION 3.** No debit or credit cards shall be issued in the name of or linked to any account owned by Trace PTO.
- SECTION 4.** Any carry over monies shall be earmarked for the following school year.
- SECTION 5.** The incoming Board is committed to unpaid, authorized expenditures incurred by the outgoing board.
- SECTION 6.** In the event of the dissolution of the Trace PTO, the following financial arrangements shall prevail:
1. No bills or financial obligations shall be outstanding.
  2. Assets shall be disposed of in the following manner:
    - a. Primary disposition shall be, in whole, to the immediate school, in keeping with the objectives of this organization.
    - b. Secondary disposition shall be, in whole, to the San Jose Unified School District.
- SECTION 7.** The ending balance of each school year shall not be less than five hundred dollars (\$500.00).
- SECTION 8.** The objective of fund raising is to spend the majority of money raised to benefit the students of Trace within the given school year.

- SECTION 9.** PTO may use earmarked funds in savings to temporarily finance large purchases (scrip, playground) if:
- a. The withdrawal from savings does not jeopardize any predetermined purposes of said savings (ie. Science camp).
  - b. Funds will be restored to savings within a reasonable period of time and will include interest on the amount borrowed calculated at a rate no less than that of the current savings account.
  - c. Use of funds in savings shall be approved in accordance with Article X, Section 1 of the By-Laws.

### **STANDING RULES**

1. At the beginning of his/her term of office, each member of the Board shall be given a copy of these By-Laws and shall be responsible for making thorough study of them. A copy of these By-Laws shall be made available to any member of the organization upon request.
2. A meeting of both the new and retiring Boards shall be called by the new President prior to beginning the new school year to transfer all records, books, funds and other material pertaining to the organization and to make plans for the coming year's work.
3. Chairperson for each committee is responsible for writing and sending out thank you letters/notes for donations to events in which they are in charge.

4. At the beginning of his/her new term of office, the new board shall determine who is to be added/removed from all PTO bank accounts and notify the bank immediately.