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# HMS PTSO Bylaws

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Purposes, Basic  
Policies, Duties ...

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Adopted as of July 1, 2008  
Amended as of May 16, 2012

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# UNIFORM BYLAWS FOR THE HMS PTSO

## ARTICLE I: NAME

The name of this organization is the Heritage Middle School Parent Teacher Student Organization, or more commonly known as the "HMS PTSO".

## ARTICLE II: PURPOSES

**Section 1.** The Purposes of this PTSO unit are:

- a. To provide financial support to Heritage for educational materials, supplies, equipment, and activities;
- b. To take an active role in achieving support for, and fostering friendship and community within, our organization; and
- c. To ensure the highest advantages in physical, mental, social and spiritual education.

**Section 2.** The Purposes of this organization are promoted through educational advocacy directed toward parents, teachers, students and the general public, developed through committees, projects, and programs, and are governed and qualified by the basic polices set forth in Article III.

**Section 3.** This organization is organized exclusively for the charitable, scientific, literary, or educational purposes with the meaning of Section 501(c)(3) of the Internal Review Code, specifically 509(a)(2) and must be compliant with Title 30, Chapter 3 of the Idaho Nonprofit Corporation Act, Subsections 1 - 145.

## ARTICLE III: BASIC POLICIES

The following are basic policies of this organization:

- a. This organization shall be noncommercial, nonsectarian, and nonpartisan.
- b. This organization, its members and leaders, shall not endorse a commercial entity, or engage in activities not related to promoting the organization's Purposes set forth in Article II.
- c. This organization, its members and leaders, shall not directly or indirectly, participate or intervene (in any way, including the publishing or distributing of statements) in any political campaign on behalf of, or in opposition to, any candidate for public office, or devote more than an insubstantial part of its activities to attempting to influence legislation by propaganda or otherwise.
- d. This organization shall work with the school to provide quality for all children and youth and shall seek to participate in the decision-making process establishing school policy, recognizing that the legal responsibility to make decisions has been delegated to boards of education, state education authorities, and local education authorities.
- e. No part of the net earnings of this organization shall be benefited by, or be distributed to members, directors, trustees, officers, or other private individuals, except that the unit shall be authorized and empowered to pay reasonable compensation for services rendered and to make payments and distributions in furtherance of the Purposes set forth in Article II.
- f. Notwithstanding any other provision of these articles, this organization shall not carry on any other activities not permitted to be carried on (i) by an organization exempt from federal income tax under Section 501(c)(3) of the Internal Revenue Code or (ii) by an organization, contributions to which are deductible under Section 170(c)(2) of the Internal Revenue Code.
- g. Upon the dissolution of this organization, after paying or adequately providing for the debts and obligations, the remaining monetary assets shall be distributed to one or more nonprofit funds, foundations, or organizations that have established their tax exempt status under Section 501(c)(3) of the Internal Revenue Code and whose purposes are in accordance with those of the HMS PTSO.

## ARTICLE IV: MEMBERSHIP

41 **Section 1.** Membership in the PTSO shall be open, without discrimination, to anyone who believes and supports the Purposes  
42 set forth in Article II.

43 **Section 2.** Each member of the PTSO shall pay annual dues as determined by organization based on simple majority vote (over  
44 50% must approve).

45 **ARTICLE V: OFFICERS AND THEIR ELECTION / NOMINATING PROCESS**

46 **Section 1.** There shall be at least four elected officers: President, Vice-president, Secretary, and Treasurer and any other  
47 officers as designated in the Standing Rules. The elected officers shall comprise this organization's Executive Board.

48 **Section 2.** Officers shall be elected in the month designated in the Standing Rules.

49 **Section 3.** Nominations from the floor are permitted, however every effort should be made to submit these name(s) to the  
50 presiding officer before the beginning of the meeting. When there is but one candidate for an office, the ballot for that office may  
51 be dispensed with and election held by voice vote. A majority vote shall be required for election.

52 **Section 4.** The following provisions shall govern the qualifications and eligibility of individuals to be officers of this organization:

- 53 a. Each officer shall be a member of this unit;  
54 b. No officer may be eligible to serve more than two consecutive terms in the same office, as designated in the Standing  
55 Rules; and  
56 c. A person who has served in an office for more than one half of a full term shall be deemed to have served a full term in  
57 such office.

58 **Section 5.** Officers shall assume their official duties on the date designated in the Standing Rules and shall serve for a term of  
59 no more than two (2) years, as designated the Standing Rules, or until their successors are elected.

60 **Section 6.** A vacancy occurring in any office shall be filled for the unexpired term by a person elected by the Board of Directors.  
61 Election to fill a vacancy shall require a majority vote of the Board of Directors with at least ten (10) days previous notice. If notice  
62 is not given, the election to fill the vacancy shall require a two-thirds (2/3) vote. In case a vacancy occurs in the office of  
63 President, the Vice-President, if applicable, shall serve notice of the election to the Board of Directors, if applicable, or the  
64 Executive Board. If a president-elect has already been selected that person will assume the duties of President and complete the  
65 President's term of office.

66 **Section 7.** A list of newly elected officers shall be submitted to the Principal of Heritage Middle School immediately after their  
67 election. Changes in officers and their addresses must be recorded immediately.

68 **Section 8.** There shall be an opportunity for nominations to be made at least one month prior to the election of officers.

- 69 a. Those who submit nominations [electronic or otherwise], shall nominate an eligible person for the respective office  
70 [position] to be filled. Non-electronic nominations may be made, as long as they are received and recorded  
71 electronically before the given deadline.  
72 b. Only those individuals who are current members of this organization and who have signified their consent to serve if  
73 elected shall be nominated for, or elected to, such office.  
74 c. The privilege of nomination and election to office for the ensuing year(s), in this organization, may be extended to  
75 individuals who are already members in good standing in a school feeding into this school and who, upon nomination  
76 to office, accept the nomination.

77 **Section 9.** The president-elect may call a meeting of the officers-elect, to ratify the appointments of chairpersons, auditing  
78 committee and parliamentarian, if any, and to make plans for the coming year's work.

79 **Section 10.** If an office remains unfilled after election, it shall be considered a vacant office to be filled by the board-elect.

80 **ARTICLE VI: DUTIES OF OFFICERS**

81 **Section 1.** The President shall:

- 82 a. Preside at all meetings of this organization;  
83 b. Serve as an ex-officio member of all committees except the nominating committee;  
84 c. Coordinate the work of the officers and committees of this organization in order that the Purposes may be promoted;

- 85 d. Perform such other duties as may be provided for by these bylaws, prescribed by the parliamentary authority, or  
86 directed by the Board of Directors or Executive Board;  
87 e. Appoint an auditing committee, a parliamentarian and the chair of committees, subject to the approval of the Executive  
88 Board; and  
89 f. Appoint, or be, the official representative of this organization at any meeting at which the PTSO requires  
90 representation.

91 **Section 2.** The Vice President(s) shall:

- 92 a. Act as aide(s) to the president;  
93 b. In their designated order, perform the duties of the president in his/her absence or inability to serve. (Additional duties  
94 of each vice president shall be placed in the Standing Rules); and  
95 c. Perform such other duties as may be provided for by these Bylaws, prescribed by the parliamentary authority, or  
96 directed by the President, or the Executive Board.

97 **Section 3.** The Secretary shall:

- 98 a. Record the minutes of all meetings;  
99 b. Be prepared to read the records of any previous meetings;  
100 c. File all records;  
101 d. Have available a current copy of the Bylaws and Standing Rules;  
102 e. e. Keep updated as needed with amendments adopted by this organization;  
103 f. f. Maintain a membership list;  
104 g. g. Perform such other duties as may be provided for by these bylaws, prescribed by the parliamentary authority, or  
105 directed by the President, the Board Directors or the Executive Board; and  
106 h. h. Send out notices of board meetings.

107 **Section 4.** The Treasurer shall:

- 108 a. Have custody of the funds of this organization;  
109 b. Maintain a full account of the funds of this organization;  
110 c. Make disbursements as authorized by the President, Executive Board, or the General Membership of this organization,  
111 in accordance with the adopted budget;  
112 d. Secure two signatures on all checks. Any two of the following are authorized to sign: elected officers as designated in  
113 the Standing Rules, except the Secretary, and not a relative to any other signor;  
114 e. Keep a full and accurate account of the receipts and disbursements in the books belonging to this unit;  
115 f. Provide a written financial statement to the Board of Directors/Executive Board at each meeting;  
116 g. Present an annual report of the financial condition of this organization, which includes gross receipts and  
117 disbursements for the year, at the meeting designated in the standing rules;  
118 h. Submit the books annually for an audit by an auditor, or auditing committee, selected by the Board of Directors before  
119 the meeting at which new officers assume duties;  
120 i. Report the findings of the annual audit to the Board of Directors at the next scheduled board meeting and to the  
121 general membership at the next scheduled General Membership Meeting; and  
122 j. Perform such other duties as may be provided for by these bylaws, prescribed by the parliamentary authority, or  
123 directed by the President, the Board of Directors or the Executive Board.

124 **ARTICLE VII: EXECUTIVE BOARD**

125 **Section 1.** The affairs of this organization shall be managed by the Executive Board in the intervals between general  
126 membership meetings.

127 **Section 2.** The Executive Board shall consist of the elected officers as defined in these Bylaws and the Standing Rules.

128 **Section 3.** Each Board member shall be a member of this organization.

129 **Section 4.** Regular meetings of the Board shall be held with the date and time to be fixed by the Board at its first meeting of the  
130 year.

131 **Section 5.** Special meetings of the Executive Board may be called by the President or upon written request of two (2) members  
132 of the committee.

133 **Section 6.** A majority of the Executive Board members shall constitute a quorum.

134 **Section 7.** Duties of the Executive Board shall be to:

- 135 a. Act in emergencies between General Membership meetings;
- 136 b. Appoint standing committee chairs and members;
- 137 c. Approve payment of routine bills within the limits of the approved budget;
- 138 d. Approve the work of the committees;
- 139 e. Carry out such business as may be referred to it by the membership;
- 140 f. Create committees;
- 141 g. Make a report at each Executive Board meeting;
- 142 h. Prepare and submit an annual budget to the general membership for adoption; and
- 143 i. Present a report at the regular general membership meetings;
- 144 j. Select an auditor or an auditing committee to audit the Treasurer's books;
- 145 k. Transact business on behalf of the General Membership;

146 **Section 8.** If any member of the Executive Board shall at any time cease to meet the qualifications, or fulfill the duties of the  
147 position, that person may be removed from the Board by resolution adopted by the remaining members of the Board.

148 **Section 9.** Upon the expiration of the term of office, or when individuals cease to hold the position that entitles them to be a  
149 member of the Executive Board, they shall automatically cease to be a member of the Board and shall be relieved of all duties  
150 and responsibilities incident to such membership. All records, books and other materials pertaining to the position shall be turned  
151 over to the President and all funds pertaining to the position shall be returned to the Treasurer within fourteen (14) days.

## 152 **ARTICLE VIII: COMMITTEES**

153 **Section 1.** Only members of this organization shall be eligible to serve in any elective or appointive positions.

154 **Section 2.** The Board of Directors may create such standing committees, and special committees, as it may deem necessary to  
155 promote the Purposes, and carry on the work, of this organization. [Note: A special committee is created and approved for a  
156 specific purpose, it automatically goes out of existence when its work is done and a final report has been submitted.]

157 **Section 3.** The term of office of a committee chair shall be one year or until the selection of a successor.

158 **Section 4.** The chair of each committee shall present a plan of work to the Executive Board for approval. No committee work  
159 shall be undertaken without the consent of the Executive Board.

160 **Section 5.** The President shall be a member ex-officio of all committees except the nominating committee.

161 **Section 6.** The auditing committee shall:

- 162 a. Review the books and financial records of this organization annually at the close of the officers' term; (See Article VII,  
163 Section 5 for date).
- 164 b. Present a written statement as to the correctness of the Treasurer's annual financial report to the Executive Board at  
165 the meeting designated by the Standing Rules;
- 166 c. Present the written statement set out in (b) above for adoption by this organization at the meeting designated by the  
167 Standing Rules;
- 168 d. Review the books upon resignation of the Treasurer and at any time deemed necessary; and
- 169 e. Consist of at least three members, none of whose signature is on any of the financial accounts.

## 170 **ARTICLE IX: GENERAL MEMBERSHIP MEETINGS**

171 **Section 1.** The months, dates, and number of regular meetings of this organization will be specified in the Standing Rules. The  
172 Standing Rules will be read and approved at the first Board of Directors/Executive Board meeting of each school year and may  
173 be read by request at any meeting or shall be available for reading.

174 **Section 2.** Special general membership meetings of this organization may be called by the President or by a majority of the  
175 Board of Directors/Executive Board, seven (7) days notice having been given.

176 **Section 3.** The Annual General Membership Meeting shall be held in the month specified by the Standing Rules, and shall be for  
177 the purposes of budget approval, reports of officers and committees, and conducting any other business that may arise.

178 **Section 4.** A general membership meeting shall be held in the month preceding the last meeting of fiscal year. At this meeting  
179 the nominees with the simple majority votes will be formally elected for the next fiscal year. This provides a one-month  
180 opportunity for new officers to train from current officers.

181 **Section 5.** The quorum for the transaction of business shall be specified in the Standing Rules and shall include at least two (2)  
182 elected officers.

183 **ARTICLE X: FISCAL YEAR / INTERNAL REVENUE SERVICE NUMBER**

184 **Section 1.** The Fiscal Year and Internal Revenue Service Number shall be stated in the Standing Rules.

185 **ARTICLE XI: PARLIMENTARY AUTHORITY**

186 **Section 1.** The rules contained in the current edition of Robert's Rules of Order, Newly Revised shall govern this organization in  
187 all cases in which they are applicable and in which they are not in conflict with these Bylaws.

188 **ARTICLE XII: AMENDMENTS**

189 **Section 1.** Proposed amendments/revisions to these Bylaws shall be submitted to the Executive Board for review and possible  
190 incorporation into these Uniform Bylaws.

191 **Section 2.** If approved by the Executive Board, proposed amendments will be presented at the last General Membership  
192 meeting of the fiscal year, with a simple majority vote for approval.

193 **Section 3.** The adoption of an amendment to any provision of these bylaws shall serve automatically and without the  
194 requirement of further action by this organization.