

**BYLAWS OF THE**

**LEGACY MAGNET ACADEMY**

**PARENT-TEACHER ORGANIZATION**

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# Article I. General Provisions

## Section 1.01 Name and Status of Organization

This Organization shall be known as the Legacy Magnet Academy Parent Teacher Organization, Inc. and shall be referred to hereinafter as the "PTO". The PTO was incorporated in the State of California on August 5th, 2020, as a nonprofit public benefit corporation under the Non-Profit Public Benefit Corporation Law of the State of California. In accordance with the Articles of Incorporation, the PTO was formed for public and charitable purposes.

## Section 1.02 Location of Organization

This corporation is located in Orange County, California.

## Section 1.03 Change of Address and Name

The county in which the corporation's principal office is located and/or the name of the Organization can be changed only by amendment of these Bylaws and not otherwise. The PTO Board may, however, change the principal office from one location to another within the named county by noting the changed address and effective date below, and such changes of address shall not be deemed an amendment of these Bylaws.

\_\_\_\_\_ Dated: \_\_\_\_\_

\_\_\_\_\_ Dated: \_\_\_\_\_

\_\_\_\_\_ Dated: \_\_\_\_\_

## Section 1.04 Non-profit Status

(a) In accordance with the applicable law, the PTO is organized and shall operate exclusively for charitable purposes within the meaning of Section 501(c)(3) of the Internal Revenue Code. No part of the net assets or income of the PTO shall ever inure to the benefit of any director, officer, or member of the PTO, or the benefit of any private person. Upon dissolution, its assets, remaining after payment, or provision for payments, of all debts and liabilities of the PTO shall be distributed to a non-profit fund, foundation, or corporation which is organized exclusively for charitable purposes and which has established its tax exempt status under Section 501(c)(3) of the Internal Revenue Code.

(b) The Board of the PTO shall maintain tax-exempt status with the Internal Revenue Service of the United States and with the Franchise Tax Board of the State of California.

The Board is hereby empowered to take all steps reasonably necessary to accomplish the establishment of tax-exempt status. The PTO shall not engage in any act or conduct, which is contrary to its establishment of tax-exempt status, nor shall it omit to engage in any act or conduct, which is necessary to its establishment of tax-exempt status. Any act or conduct, which violates the provisions of this paragraph, shall be deemed void ab initio.

## **Article II. PURPOSES AND POLICIES**

### **Section 2.01 Objectives and Purposes**

(a) The purpose of the PTO is to act as a Parent-Teacher Organization for Legacy Magnet Academy of the Tustin Unified School District. The objectives of this PTO are to enhance and improve the existing educational experience of all students attending Legacy Magnet Academy through additional financial support and parental involvement.

(b) Additionally, to improve communication and interaction among educators, home, community and students in order to develop a shared vision of common goals and objectives so that all will participate more fully in the educational process.

### **Section 2.02 Practices and Policies**

(a) The PTO shall be education-focused, non-profit and non-partisan. No candidate for public office or any commercial enterprise shall be endorsed.

(b) The Organization shall be non-discriminatory.

## **Article III. MEMBERSHIP**

The PTO shall conduct an annual enrollment of members but may admit persons to membership at any time.

### **Section 3.01 Members**

Membership in the PTO is available without regard to race, color, creed or national origin, to all educators, parents and guardians of children attending Legacy Magnet Academy and to any other member of the community interested in furthering the objectives of this Organization.

~~Section 3.02 Membership Dues~~

Section 3.02 Membership Dues

This section has been removed as the PTO no longer collects dues.

Members, also means per family, are required to pay nominal annual membership dues to the PTO. At the last Board meeting of each fiscal year the board of directors will establish the amount of membership dues for the next fiscal year. The funds derived from membership dues shall be used for operation expenses and to fund PTO sponsored projects and programs.

### **Section 3.03 Member in Good Standing**

~~A member is considered a "Member in Good Standing" if dues are paid and the member has been a member for thirty (30) days. If any check, written by a PTO member, is returned by the bank for insufficient funds, that member shall reimburse the PTO for all returned check charges incurred by the PTO, in addition to money owed. A member who has not reimbursed the PTO will not be considered a "Member in Good Standing."~~ A member is considered a 'Member in Good Standing' based on positive participation, respectful conduct, and adherence to PTO values. Financial dues are not required.

### **Section 3.04 Member Privacy**

Neither the PTO, nor any member, nor sponsor, shall release, divulge, publish, or otherwise distribute a Member's identity, address or phone number, unless agreed to in writing by the Member. The PTO may distribute such information to the Board as it deems necessary for the operation of the PTO. Board Members shall maintain the confidentiality of any such information it receives during the course of performing its duties.

### **Section 3.05 Voting Rights**

Each member (family) shall have one (1) vote on all matters presented to the general membership of the PTO as defined by the PTO membership roster kept by the PTO First Vice President, Membership. The following matters are specifically reserved for a vote by the general membership of the PTO. All other matters may be voted upon by the Board, or may be submitted to the general membership for a vote, as the Board deems appropriate.

#### **Exclusive Matters Reserved for a Vote of the General Members in attendance**

- a. Adoption or Amendment of these Bylaws. 2/3 vote
- b. Election of Board and Officers. Simple majority
- c. Approval of Initial Annual Budget or Revised Budgets. Simple majority
- d. Removal of any member of the Board for malfeasance in office. 2/3 vote

- e. Dissolution of Organization (see Article XIII). 30 days prior notice with two-thirds (2/3) vote.

All matters submitted to the general membership for a vote shall pass by a simple majority vote of the general members in attendance, except amendment to these Bylaws, and removal of a member of the Board for malfeasance in office, which shall require a two-thirds (2/3) majority vote of the general members in attendance.

Any motion to remove a member of the Board for malfeasance in office shall take place only after the member has had an opportunity to be heard and has been afforded due process. As set forth in Section 5.10, the Board may suspend one of its members in the event it deems the malfeasance of said member to be so severe that the PTO will suffer great and irreparable injury or damage if the member is not suspended pending a full hearing and vote by the general membership.

## **Article IV. Officers and Their Election**

### **Section 4.01 Eligibility**

- (a) Each Board member of this PTO shall be a member of this PTO during the fiscal year served
- (b) Each Board member shall be a parent/guardian of a current or incoming student of Legacy Magnet Academy and/or a current staff member of Legacy Magnet Academy.
- (c) The privilege of holding office shall be limited to members of the Organization who are in good standing, before nomination, unless the parent/guardian has an incoming student, in which case, the membership dues must be paid by the beginning of the member's term. (See Section 3.03).
- (d) Only those persons who are eligible and who have signified their consent to serve if elected shall be nominated for or elected to office.
- (e) Nominees for the offices of this PTO shall not be related by blood or marriage or reside in the same household.
- (f) An office may be shared by no more than two persons. Those two persons must not be related by blood or marriage or residing in the same household. An office may only present one vote even if it is shared by two persons.

### **Section 4.02 Officers**

Officers of this Organization shall include a: President, First Vice-President, Membership, Second Vice-President, Fundraising, Third Vice-President, Volunteer Coordinator, Fourth



Vice-President, Communications, Fifth Vice-President, Program and Events, Secretary, Financial Secretary, Treasurer, Auditor, and Parliamentarian. **These officers shall be elected annually with the exception of the Parliamentarian, who shall be appointed by the President subject to the ratification of the Board.**

## **Section 4.03 Nominations**

(a) Nominations for office shall be made by the Nominating Committee, which shall be elected by the Organization.

~~(b) The Nominating Committee shall be elected at the January general meeting. The committee shall serve until the annual election meeting in April/March.~~ The committee shall serve until the annual election meeting in March/April.

(c) The Nominating Committee shall be composed of up to five members, one of whom shall be the Parliamentarian, with one alternate, all of whom shall be members of this PTO. The Principal of the school, or a faculty representative appointed by the Principal, if not an elected member of the Nominating Committee, may act in an advisory capacity; however, the Principal's attendance is not required at meetings.

(d) The President shall not serve ex officio or be elected to the Nominating Committee. The committee shall elect its own chairman.

(e) No member shall serve on the Nominating Committee for more than two (2) consecutive years, with the exception of the current Parliamentarian.

(f) Immediately upon its election the Parliamentarian shall meet with the Nominating Committee to set the date of its first meeting. (See Section 5.08(b))

(g) Alternates shall not attend meetings, unless an elected member cannot be present. In that event, the alternate becomes the permanent member, replacing the elected member until such time as the committee is discharged of its duties (at the time of election).

(h) The report of the Nominating Committee shall be submitted to the membership at least thirty (30) days prior to the annual election meeting. At the annual election meeting in **March/April** additional nominations must be called for from the floor.

**New Requirement: The Nominating Committee must publish the slate and provide 30 days' notice prior to the annual election meeting.**

**New Requirement: The PTO must announce open officer positions at least once during a general meeting before the slate is formed, and must post an email or social media announcement informing the community that nominations are open and who to contact.**

## **Section 4.04 Elections**

Election shall be held by ballot at the annual election meeting in **March or April**. If there is but one nominee for any office, the ballot for that office may be dispensed with and the election held by voice vote.

## **Section 4.05 Terms of Office**

Officers shall serve for a term of one year. No officer shall hold more than one elected office at a given time. An officer shall not hold the same office for more than two consecutive terms except when there is no other person who is qualified and consents to serve. In the above exception, an officer may serve an additional term of one year only. Officers shall assume their duties on August 1. A person who has served in an office for more than six months shall be deemed to have served a full term in such office. Nothing herein shall preclude any officer from serving in a different capacity in consecutive years.

~~No officer shall hold the same position for more than two consecutive terms. However, if no eligible or willing candidate runs for that position during the nomination period, the current incumbent may run again, even if they have already served two consecutive terms.~~ Officers shall serve for a term of one school year. No officer shall hold the same office for more than two consecutive terms except when no qualified person runs; in that case an officer may serve one additional school year.

## **Section 4.06 Meetings of the Officers-Elect**

The President-elect may call meetings as necessary of the officers-elect and the Principal of the school, or a representative appointed by the Principal, to ratify the appointments of appointed officers and chairmen and to make plans for the coming year's work.

## **Section 4.07 Office Vacancies**

If an office remains unfilled after election, it shall be considered a vacant office to be filled by the Board-Elect.

## **Section 4.08 Elections for Office Vacancies**

A vacancy, occurring in any office, shall be filled for the remainder of the term by a person elected by the Board. Candidates will be accepted by the Board for the position being vacated and an election will be held. Election to fill a vacancy shall require a majority vote of the Board present at the meeting. The new officer will serve the remainder of the former officer's term. The first Vice-President shall serve notice of the election to the Board, in case a vacancy occurs in the office of President.

# **Article V. Duties of officers**

## **Section 5.01 President**

The President shall oversee and support all Board members and chair positions, events and activities. President chairs all PTO meetings and attends monthly TUSD coordinating council meetings. Duties shall include:

- (a) Coordinate the work of officers and committees of the Organization in order that the purposes may be promoted.
- (b) Preside at all meetings of the Organization and the Board.
- (c) Be one of three people with access to the PTO safe, along with 2nd VP Fundraising and Financial Secretary.
- (d) Be one of two people with full access to PayPal/Stripe account with the Treasurer is the second person.
- (e) Be a member ex-officio of all committees except the nominating committee.
- (f) Appoint the Parliamentarian, subject to the ratification of the Board
- (g) Approve chairmen of committees.
- (h) Sign all authorizations for payment including check request/expense report forms and checks.
- (i) Sign all contracts on behalf of the Organization.
- (j) Maintain a log of all safe combinations and account usernames and passwords, including but not limited to: Paypal/Stripe, bank accounts and online retail accounts.
- (k) Change all passwords and combinations at the beginning of each fiscal year, and notify appropriate parties.
- (l) Be the official representative of the unit at Coordinating Council meetings.
- (m) Have all newsletters, flyers and/or notices approved by the Principal or Principal's designee, prior to distribution.
- (n) Not be related by blood or marriage or reside in the same household as the other authorized signers for the Organization's financial accounts.
- (o) Perform such other duties as may be prescribed in these Bylaws or assigned by the Organization.
- (p) The President can ask for but not make a motion, and votes in a meeting only in the event of a tie.

(q) The President shall request that the reports/notebooks from the officers and committee chairs are passed on, in a timely manner, to the new officers and committee chairs at the end of each term.

## **Section 5.02 First Vice-President, Membership**

The First Vice-President, Membership shall create a membership theme, publicize the membership campaign, collect and deposit dues, keep confidential records of all members. Encourage members to see Corporate Match opportunities. Duties shall include:

- (a) Act as aide to the President and shall perform the duties of the President in the absence or disability of that officer to act.
- (b) Coordinate the annual membership drive.
- (c) Send all required IRS charitable donation receipts to members who donate \$250. or more. Receipts must be sent by the end of the year in which the donation was made.
- (d) Coordinate with the school office, the distribution of PTO membership forms to new families who enroll.
- ~~(e) Keep a current list of the paid members of the Organization.~~ (Removed – PTO no longer tracks paid membership.)
- (f) Perform other duties as may be delegated to the Vice-President.

## **Section 5.03 Second Vice President, Fundraising**

The Second Vice President, Fundraising shall seek corporate/local businesses to donate to or sponsor various LMA events, organize and oversee fundraising opportunities. Position member will be responsible for corporate relations, developing marketing strategies and determining how best the Corporation can work with LMA. Duties shall include:

- (a) Oversee the PTO fundraising projects.
- (b) Present fundraising opportunities to the Board.
- ~~(c) Be one of three people with access to the PTO safe.~~
- ~~(d) Assist with the verification of deposits.~~

## **Section 5.04 Third Vice President, Volunteer Coordinator**

~~The Third Vice President, Volunteer Coordinator shall recruit/coordinate LMA volunteers to assist with PTO activities and events, manage communication between volunteers and PTO, and manage sign-up lists. Duties shall include:~~

- (a) Responsible for recruiting committee chairs and volunteers.
- (b) Present committee chairs to the Board President for approval.
- (c) Keep a master list of all volunteers.
- (d) Coordinate with committee chairs, board members and school personnel to fill volunteer positions as needed.
- (e) Coordinate and oversee the work of committees of the Organization.
- (f) Prompt all committee chairs to pass their reports/notebooks to new committee chairs at the end of each term.

### **Section 5.05 Fourth Vice President, Communications**

The Fourth Vice President, Communications shall maintain/update LMA PTO's website and promote/update social media accounts. Duties shall include:

- a) Maintain the Legacy Magnet Academy PTO website, updating and adding information in a timely manner.
- b) Collect information from Board and committee members to post on the website.
- c) Secure the President's approval prior to posting any information.
- d) Monitor security of the PTO website and perform all necessary updates.
- e) Forward incoming PTO emails to appropriate board members for follow up.

### **Section 5.06 Fifth Vice President, Programs and Events**

The Fifth Vice President, Program and Events shall be responsible for coordinating PTO-sponsored events; and where applicable, shall oversee the activities of committees responsible for planning such events.

- (a) Coordinate PTO-sponsored events
- (b) Oversee the activities of the committees planning PTO-sponsored events and providing updates to the Board on a monthly or as-needed basis.
- (c) Act as liaison between ASB and PTO to assist/coordinate/communicate with ASB on

how PTO can support them.

## **Section 5.07 Secretary**

The Secretary shall take minutes at the PTO monthly meeting and distribute them to the board prior to the following month's meetings and provide the minutes to the VP of Communications to post as needed. Duties shall include:

- (a) Keep an accurate record of the proceedings of all meetings of the Organization and the Board in a bound book, which is the legal record of this PTO.
- (b) Send approved minutes to the VP of Communications for posting to the PTO website.
- (c) Be prepared to refer to minutes of previous meetings.
- (d) Include the Treasurer's report in the minutes, including financial documents
- (e) Keep a current copy of the Bylaws and Standing Rules.
- (f) Conduct all necessary correspondence of the Organization upon authorization of the President, Board or Organization.
- (g) Perform such other duties as may be delegated to the Secretary.

## **Section 5.08 Financial Secretary**

The Financial Secretary shall verify and make all PTO deposits at Financial Institution in a timely manner. Duties shall include:

- (a) Be one of three people with access to the PTO safe.
- (b) Receive all moneys for the Organization and deposit immediately, in the name of the Organization, in a bank approved by the Board.
- (c) Verify that all moneys are accompanied by a PTO Event Receipt Form with two signatures confirming the amount.
- (d) Notify submitters immediately if a discrepancy is discovered during verification of deposits.
- (e) Attach bank receipts to all deposit forms.
- (f) Give all deposit forms, including bank receipts, to the Treasurer.
- (g) Perform such other duties as may be delegated to the Financial Secretary

## Section 5.09 Treasurer

The Treasurer shall maintain LMA PTO financials, regularly meets with the PTO President to review financials and resolve all financial obligations. Duties shall include:

- (a) Keep such permanent books of account and records as shall be sufficient to establish the items of gross income, receipts and disbursements of the Organization.
- (b) Meet with the President and Principal prior to the beginning of the school year to prepare the annual budget for adoption by the Organization and present the budget at the first PTO meeting of the school year
- (c) Be one of two people with full access to the Paypal/Stripe account, along with the President.
- (d) Monitor Paypal/Stripe account and transfer funds as needed.
- (e) Receive and retain a copy of the deposit form for all deposits made.
- (f) Write checks, upon receipt of check request/expense report forms signed by the President.
- (g) Secure two signatures on all checks. Any two of the following are authorized to sign: President, Treasurer or Secretary. However, if Co-Presidents exist, both presidents and the Treasurer are only authorized to sign, if only one President is in office, the Secretary becomes the third authorized signer. The authorized signers shall not be related by blood or marriage or reside in the same household.
- (h) Keep an accurate record of receipts and disbursements in a ledger, which is a permanent record of this PTO. This and all other financial records must be retained for seven years, on Legacy Magnet Academy property.
- (i) Keep the membership informed of expenditures as they relate to the budget adopted by the Organization.
- (j) Present a Treasurer's report at each general meeting of the Organization and the Board and at other times when requested by the Organization.
- (k) Make an annual financial report to the Organization, which includes gross receipts and disbursements for the year.
- (l) Provide the Auditor with financial records and necessary reports within 30 days of midterm and 30 days of year end.
- (m) Ensure tax information is prepared and taxes are filed in a timely manner.

## Section 5.10 Auditor

The Auditor shall audit the PTO financials semi-annually. Duties shall include:

- (a) Audit the books and financial records of the PTO semi-annually.
- (b) Prepare a midterm audit to be completed within 30 days of receiving records from the Treasurer and report at the next PTO meeting and a final audit to be completed by Aug 30.
- (c) Present a written audit report to the Board for each audit, either in person or by designee by the PTO at the September and February Meetings.
- (d) Audit the books upon resignation of the Treasurer or President and at any time deemed necessary by the President.
- (e) Not be related by blood or marriage or reside in the same household as the authorized signers of checks.

## Section 5.11 Parliamentarian

~~The Parliamentarian (appointed by President) shall advise on Parliamentary procedure when requested, responsible for slating the Board for the following years, review by-laws and standing rules bi-annually & serve as historian and maintain record of fliers and school acknowledgment. Duties shall include:—~~The Parliamentarian is an appointed position by the President. They shall advise on parliamentary procedure when requested, responsible for working with the nominating committee to slate the a new board for elections, review by-laws and standing rules annually

- (a) Attend all meetings of the Organization and of the Board and give necessary advice in parliamentary procedure when requested according to Robert's Rules of Order, Newly Revised.
- (b) Call the first meeting of the Nominating Committee, and conduct election of chairman and give instructions in procedure, and may be contacted for additional information, if needed, and shall attend meetings of the Nominating Committee only if elected to serve as a member of the committee.
- (c) Review Bylaws and Standing Rules annually.
- (d) Be entitled to all rights and privileges of membership including the right to make motions, debate and vote.

## Section 5.11 Failure to Attend Meetings



When an officer fails to attend three consecutive meetings without adequate excuse or when an officer is not fulfilling the responsibilities of the office as prescribed in the Bylaws or Standing Rules, or engages in conduct which the Board determines to be injurious to the Organization or its purposes, the Board may by a two-thirds (2/3) affirmative vote, take such action as it determines appropriate, which may include: (1) asking for the resignation of the officer; (2) making a formal recommendation that the officer be removed from office following a hearing conducted in accordance with Due Process.\*

\* “Due Process” Procedures: Following the two-thirds (2/3) affirmative vote recommending that the officer be removed from office:

- 1) The officer must be given fifteen (15) days’ written notice of the hearing to remove the officer from office;
- 2) The written notice shall contain the reasons for the proposed removal, and shall be mailed by certified mail, return receipt requested, to the last address of the officer shown on the Organization’s records;
- 3) At the hearing, the officer must be given an opportunity to address the Board, either orally or in writing;
- 4) Not less than five days following the hearing, the Board shall convene and vote whether the officer will be removed from office;
- 5) A two-thirds (2/3) vote of the Board shall be sufficient to remove the officer from office;
- 6) The removal vote shall be recorded in the Board minutes and shall specify the number of voting in favor of and against such removal.

## **Section 5.12 Officers Duties**

All officers shall perform the duties prescribed in the current edition of Robert’s Rules of Order, Newly Revised, in addition to those outlined in these Bylaws and those assigned from time to time. Upon the expiration of the term of office or in case of resignation or termination, each officer shall turn over to the President, without delay, all records, books and other material pertaining to the office and shall return to the Treasurer, without delay, all funds belonging to the Organization.

# **Article VI. Meetings**

## **Section 6.01 Meeting Days**

Regular meetings of the general membership shall be held August through April except that no

regular meeting shall be scheduled for December. With the exception of the annual meeting, notice of any change in time or date of regularly scheduled meetings must be given to the membership at least (10) days in advance.

## **Section 6.02 Annual Meeting**

The Organization meeting, in March/April, shall be the annual election meeting at which time officers shall be elected. At least thirty (30) days' notice of the annual election meeting must be given.

## **Section 6.03 Quorum**

Before any effective vote of the general membership may be taken a quorum shall be present. A quorum of the general membership is no less than eight (8) voting members of this Organization.

## **Section 6.04 Voting**

~~The privilege of making motions, debating and voting shall be limited to members of the Organization who are present at the meeting and whose dues are paid.~~ The privilege of making motions, debating and voting shall be limited to members of the Organization who are present at the meeting.

## **Section 6.05 Voting by Proxy**

Voting by proxy is prohibited.

## **Section 6.06 Special Meetings**

The President may call a special meeting of the general membership if, in the sole discretion of the Board, a special meeting is necessary for the general membership to vote on a particular issue which is of such urgency that it cannot be postponed until the next regularly scheduled meeting. In addition, any group of members comprising at least twenty-five (25%) of the voting members may call for a special meeting by notifying the President in writing of the need for a special meeting, the nature of the issue or issues to be resolved, and certification that at least twenty five percent (25%) of the voting members desire such a special meeting. When a special meeting is called of the general membership, the President shall give at least fourteen (14) days' notice of the time and place for said special meeting.

# **Article VII. Board**

## **Section 7.01 Board Members**

The Board shall consist of officers of the Organization and the Principal of the school, or a representative appointed by the Principal, all of whom shall be members of this PTO. The Principal of the school or designated representative, although not an elected officer, serves in an advisory capacity with full voting privileges.

### **Section 7.02 Acts of the Board**

The Board is subject to the orders of the Organization, and none of its acts shall conflict with action taken by the Organization.

### **Section 7.03 Conflicts of Interest**

A PTO member shall not serve as a voting member of this Board while serving as a paid employee of or under contract to this PTO.

### **Section 7.04 Voting by Proxy**

Voting by proxy is prohibited.

### **Section 7.05 Meetings**

The Board shall meet concurrently with Organization meetings, unless otherwise ordered by the Board.

### **Section 7.06 Establishment of a Quorum**

This PTO shall establish a quorum for the transaction of business in any meeting of the Board.

### **Section 7.07 Quorum**

Four (4) members of the Board shall constitute a quorum.

### **Section 7.08 Special Meetings**

Special meetings of the Board may be called by the President or, at the request of a majority of the members of the Board; the President shall call such meetings. The President must call a special meeting upon the written request of four (4) members of the Board. Special meetings must be held within fourteen (14) days of receipt of a written request. All Board members must be notified of special meetings at least seven (7) days prior to the meeting. During a special meeting only business for which the meeting was originally called can be discussed. Special meetings may be conducted by any means deemed appropriate that is not contrary to Robert's Rules of Order, Newly Revised. In the event of special meetings called by electronic mail, no vote can be taken on any item of business transacted at the meetings until 48 hours has passed

from the time the motion was first communicated to all members. It is recommended that all communications between Board members during the 48 hour voting period be made to all Board members, and all communications from the President or any Board member making a motion to be considered must be made to all Board members. Standard quorum and voting rules shall otherwise apply.

## **Article VIII. Committees**

### **Section 8.01 Establishment of Committees**

There shall be such committees created by the Third Vice President, Volunteer Coordinator as needed to carry on the work of the Organization. The quorum for a committee meeting shall be a majority of its members.

### **Section 8.02 Appointment of Chairpersons**

The chairpersons and members of the committees shall be members of this PTO. The chairperson shall be appointed by the Third Vice President, Volunteer Coordinator and be approved by the President. The appointment is subject to ratification of the Board.

### **Section 8.03 Term of Office**

The term of office for chairpersons shall be one year.

### **Section 8.04 Work Approval**

The chairpersons shall present plans of work to the Board for approval. No work shall be undertaken without the consent of the Board.

### **Section 8.05 Committee Chairperson Reports**

Chairpersons shall compile reports annually. These reports shall be added to previous years' reports and passed along to the new chairpersons or given to the President to pass onto the new chairpersons.

### **Section 8.06 Failure to Attend Meetings**

When a chairperson fails to attend three consecutive committee meetings without adequate excuse or when a chairperson is not fulfilling the responsibilities of the office as prescribed in the Bylaws or standing rules, or engages in conduct which the Board determines to be injurious to the Organization or its purposes, the Board may, by a two-thirds (2/3) affirmative vote, take such action as it determines appropriate, which may include:

- 1) asking for the resignation of the chairperson;
- 2) making a formal recommendation that the chairperson be removed from office following a review.

### **Section 8.07 Conclusion of Office**

Upon the expiration of the term of office or in case of resignation or termination, each chairperson shall turn over to the President, without delay, all records, books and other material pertaining to the chairpersonship, and shall return to the Treasurer, without delay, all funds belonging to the Organization.

### **Section 8.08 Power to Create Special Committees**

The Board has the power to create special committees in order to carry out specific programs and projects. These special committees may serve in an advisory capacity and do not have to be members of the Organization.

### **Section 8.09 Term of Special Committees**

The chairperson and members of special committees shall serve until their assignments have been completed and the committee is discharged by the Board.

## **Article IX. Budget**

### **Section 9.01 Budget Committee**

After the elections in March/April of each year, a Budget Committee shall be formed to begin work on the next year's budget.

### **Section 9.02 Budget Committee Members**

The Budget Committee shall consist of the President, President-Elect, Treasurer, Treasurer-Elect, Second V.P. of Fundraising, Second V.P. of Fundraising Elect, and the Principal or Principal's designee.

### **Section 9.03 Budget Review and Presentation**

It will be the duty of the Treasurer to prepare a budget for review by the Board. After review, the Treasurer will submit the budget for approval at the first meeting of the school year. The budget must be approved by a majority of members present at the meeting.

## **Section 9.04 Minor Budget Changes**

All changes to the budget of less than **\$500** may be made by the President. Ratification of each of these changes must be made at the next PTO meeting and recorded in the minutes of that meeting.

## **Section 9.05 Major Budget Changes**

All changes to the **budget of \$500 or more** shall require approval of the Board.

# **Article X. Fiscal Year**

## **Section 10.01 Financial Obligations**

This PTO shall not assume any financial obligation in any one fiscal year that will be carried over into the succeeding term. However, upon approval by the PTO membership, money may be encumbered or budgeted for a specific expense in the succeeding year.

## **Section 10.02 IRS Number**

The Internal Revenue Service Employer Identification Number for this PTO is 85-2252507.

## **Section 10.03 Fiscal Year**

The fiscal year for the PTO shall be July 31st of each year through June 30th of the following year.

# **Article XI. Parliamentary Authority**

The rules contained in the current edition of Robert's Rules of Order Newly Revised shall govern this association in all cases in which they are applicable and in which they are not in conflict with these Bylaws, the articles of incorporation and the California NonProfit Corporation Law.

# **Article XII. Amendment of Bylaws**

## **Section 12.01 Amendments to the Bylaws**

Proposed amendments of the Bylaws shall be submitted, in writing, to the President by any PTO member in good standing (see Section 3.03). Written notice shall be given to the membership thirty (30) days in advance of the meeting in which there will be a vote on the proposed amendments. A two-thirds majority of members present at the meeting is necessary for approval

of any bylaw amendments.

## **Section 12.02 Review of the Bylaws**

The Bylaws shall be reviewed at least every year and amended as needed.

## **Article XIII. Dissolution of Organization**

Previous notice and two-thirds (2/3) vote may dissolve this Organization.

## **Standing rules**

- 1) At the beginning of his/her term of office, each member of the Board shall be given a copy of these Bylaws and shall be responsible for making a thorough study of them. A copy of these Bylaws shall be made available to any member of the PTO upon request.
- 2) At least forty-eight hours' notice, in writing, must be given to the President in order to have an item of business or an announcement placed on any meeting agenda.
- 3) Anyone wishing to distribute material at any meeting must have prior approval of the Board, and if materials are not PTO generated, of the Principal.
- 4) If discussion on any item of business exceeds five minutes, the President, in his/her sole discretion, may refer the matter to either an existing or newly formed committee to formulate a recommendation to be presented at the next regularly-scheduled PTO meeting.
- 5) All fundraising proposals must be approved by the Board prior to implementation.
- 6) The Board has the ability to amend, modify or add Standing Rules at any time.

NOTE: Standing Rules should be procedural rather than parliamentary and may not conflict with the Bylaws.

These Bylaws were adopted: \_\_\_\_\_

Date \_\_\_\_\_

PTO Parliamentarian \_\_\_\_\_

PTO Secretary \_\_\_\_\_

Legacy Magnet Academy PTO Bylaws originally written August 4th 2020

These Bylaws were Amended on \_\_\_\_\_

PTO Parliamentarian \_\_\_\_Tani Thakrar\_\_\_\_\_

PTO Secretary \_\_\_\_\_Staci Fan\_\_\_\_\_