

THE HOLLYS' PTCO CONSTITUTION AND BY-LAWS

Adopted \_\_\_\_\_

Amended 1996, 2003, 2006, 2009

ARTICLE I

NAME

The name of the organization shall be the Hollys' Parent-Teacher-Community Organization, also referred to as the Hollys' PTCO.

ARTICLE II

PURPOSE

- Section 1: The purpose of the Hollys' PTCO shall be to assist in attaining the highest level of education and welfare for the entire student body of Holly Hills Elementary/Holly Ridge Primary through the cooperative efforts of the Faculty and Staff, the Cherry Creek District community and the PTCO.
- To coordinate volunteer assistance within the school whenever needed.
- To raise funds necessary to support programs which enhance our children's education.
- To develop and implement programs that enhances and supports the philosophies and policies corresponding with the educational aims of the school for the benefit of the students.
- To communicate and affect the philosophies and goals of education at the district and statewide level.
- To provide a sounding board for parents, faculty, students and community concerns.
- Section 2: This PTCO is a subordinate organization of and is organized under authority granted by the Cherry Creek School District Parent-Teacher-Community Council, Inc. (Council).
- Section 3: This PTCO is organized solely for charitable, scientific, literary or educational purposes as defined in section 501(c) (3) of the Internal Revenue Code. Hollys' PTCO is not a private foundation.

ARTICLE III  
MEMBERSHIP

- Section 1: GENERAL  
General Membership shall consist of the parents or guardians of students, the administrators, the faculty and the staff of Holly Hills Elementary/Holly Ridge Primary School.
- Section 2: ASSOCIATE  
Associate Membership shall consist of students of the Holly Hills Elementary/Holly Ridge Primary Schools and interested members of the community.
- Section 3: DUES  
No dues shall be required for membership.

ARTICLE IV  
ELECTED OFFICERS AND THEIR DUTIES

- Section 1: The elected officers of this organization constitute the Executive Board and shall be:
1. President
  2. Hollys' Principal
  3. Secretary
  4. Treasurer
  5. Co-Treasurer
  6. Enrichment Chair
  7. Fundraiser and Promotions Chair
- Section 1a: PRESIDENT(S)  
Shall visit both schools and check with secretaries about events and dates of school and PTCO scheduled activities.
- Shall call and preside over all Board and General Meetings.
- Shall set the agenda for the General meeting in such a way but not limited to:
1. Call to order
  2. Approval of minutes
  3. Principal's Report
  4. Officer's reports including treasurer
  5. Reports of standing committees

6. Reports of special committees
7. Unfinished business
8. New business
9. Announcements
10. Adjournment

Shall check the incoming/outgoing mail in lounge and distribute accordingly to Executive Board.

Shall appoint all committee chairs and/or committee members as needed but not limited to by the May meeting.

Shall coordinate duties of chairs and appoint replacements in case of resignations or vacancies.

Shall be an ex-officio member of all committees.

Shall assist Treasurer and Principal with the annual budget meeting.

Shall attend all School Advisory Accountability Committee meetings or appoint a parent/teacher to attend and serve as the liaison between the General Membership of the PTCO and the committee.

Shall take such action as necessary to fulfill the provisions of motions passed at meetings.

Shall oversee the performance of duties of all officers.

Shall be responsible for fulfilling the provisions of the By-laws.

Shall sign checks for authorized disbursements in the absence of the Treasurer.

Shall be subject to the direction of the Board representing the Hollys' PTCO.

Shall appoint an examiner to conduct the year-end financial examination of the organization's book.

Shall submit an annual affiliation letter to the CCSD Parents' Council asking to continue as a subordinate organization under the 501(c)(3) tax exempt group status.

Shall attend a minimum of one CCSD Parents' Council Leadership Workshop upon election.

Shall request reports from all officers and chairs outlining accomplishments and recommendations.

Section 1b:

HOLLYS' PRINCIPAL (SECOND VICE PRESIDENT)

By virtue of position, the school Principal shall serve as the Second Vice President.

Shall report monthly at General Membership meetings on pertinent school matters.

Shall provide faculty representative.

Shall be an adviser to the organization.

May request the cooperation of the Executive Board for any committees as desired for the school.

Section 1c:

SECRETARY

Shall provide a copy of the Executive Board listing, including contact information (name, address, phone, email of each) to the CCSD Parents' Council upon election.

Shall attend all Board and General Membership meetings.

Shall give minutes to school secretary so they can be posted on website.

Shall assist in organizing, typing and providing copies of the agenda for General Membership meetings.

Shall keep two (2) sets of minutes: Board and General Membership.

Shall be responsible for taking concise, informative minutes without editorial comment.

Shall provide details of all motions including the subject of the motion, who made and seconded the motion, and the outcome of the vote.

1. Member states motion, "I move..."
2. Another member seconds the motion.
3. President asks for discussion.
4. Members discuss motion, ask questions and seek clarifications.
5. An amendment may be made to the original motion, "I move to amend by adding, deleting, changing, etc."
6. President asks for a second.
7. President asks for discussion.
8. President calls a vote.
9. Vote is taken.

10. President announces results of vote.

Shall publish the minutes of the General Membership meeting on website no more than twelve (12) days following the meeting.

Shall be responsible for typing amendments to these By-laws, and keep a current copy of the By-laws.

Shall arrange for a substitute in the event the Secretary is unable to attend a meeting.

Shall maintain a current listing of the Executive Board and Committee chair(s).

Shall provide a written report to the President(s) outlining accomplishments and recommendations to the incoming Secretary.

Section 1d:

TREASURER(S)

Shall attend all Board and General Membership meetings.

Shall provide to the Executive Board and to the General Membership a monthly report stating up-to-date activity in all financial accounts.

Shall prepare the Annual Budget in conjunction with the Budget Committee for approval by the Executive Board and ratification by the General membership.

Shall submit a copy of Annual Budget to the Treasurer of CCSD Parents' Council upon formal approval by the PTO membership.

Shall provide and keep accurate records of all receipts and expenditures of PTCO money and maintain funds in federally insured checking or interest bearing accounts in the name of the Hollys' PTCO. Shall maintain and reconcile the organization's checkbook with bank records. Funds may be withdrawn by the Treasurer, President(s) or as voted by the Board.

Shall collect, count and deposit all monies received from fundraising events to the appropriate bank account.

Shall coordinate volunteers to collect and provide change at fundraising events.

Shall ensure that any expenditure over \$100.00 by any Chair or Executive Board must have two signatures. Any expenditure which shall cause a budget line item to exceed budget by 10% or \$500.00 must be approved by a majority vote of the General Membership present at the monthly PTCO meeting.

Shall file appropriate tax forms with the Internal Revenue Service and the State of Colorado in a timely manner.

Shall register the organization as a Charitable Organization in the State of Colorado with the Secretary of State.

Shall send copies of each filing to the Treasurer of the CCSD Parents' Council no later than 30 days after such filing.

Shall provide a written report to the President(s) outlining accomplishments and recommendations to the incoming Treasurer.

Section 1e:

ENRICHMENT CHAIR(S)

Shall attempt to attend all Executive Board and General Membership meetings.

Shall consult with parents and staff to determine programs including but not limited to assemblies/field trips/authors, musicians/specialists/drama and theater/science/math groups which would enhance and contribute to the education of the students.

Shall present alternative programs to the Executive Board and make recommendations.

Shall schedule programs and publish the dates and times of such programs in the school newsletter or website.

Shall report to the Executive Board, and when necessary, to the General Membership.

Shall provide a written report to the President(s) outlining accomplishments and recommendations to the incoming Enrichment Coordinator(s).

Section 1f:

FUNDRAISER AND PROMOTIONS CHAIR(S)

Shall attend all Executive Board and General Membership meetings.

Shall oversee outgoing info on all event promotions along with President and event chair.

Shall propose fundraising events/activities and obtain Executive Board approval for expenditures associated with the event/activity.

Shall appoint and coordinate sub-committee chairs for all Board Approved activities so as to provide sufficient funds for budgeted PTCO projects, and be responsible to see that those activities are completed.

Shall follow the cash policy Article XV.

Shall report to the Executive Board, and when necessary, to the General Membership.

Shall provide a written report to the President(s) outlining accomplishments and recommendations to the incoming Fundraiser Chair.

ARTICLE V  
ELECTION OF OFFICERS

- Section 1:           NOMINATING COMMITTEE  
The committee shall consist of a minimum of two (2) members at large chosen by the Executive Board.
- The committee shall meet in February and create a slate of officers consisting of President(s), Secretary, Treasurer(s), Enrichment Chair(s), and Fundraisers and Promotion(s) Chair.
- The committee shall publish the slate of officers for two consecutive weeks in the school newsletter following which additional nominations may be made up to one (1) week prior to the final vote by the membership at large.
- The nominated slate of officers shall be voted upon at the April General Membership meeting on the condition that the nominee consents to the nomination.
- Election shall be by voice vote if there is only one nominee for an office. If more than one candidate is nominated for an office, the election shall be by a plurality of those present and voting and present at the meeting by a written ballot.
- No officer shall be eligible for the same office for more than two (2) consecutive years.
- Only those who have consented to serve if elected shall be eligible for nomination, either by the committee or by the Membership at large.
- After election, duties for each office shall be shared by both incoming and outgoing officers. Incoming officers shall assume full responsibility of their duties on July 1 and serve until the following June 30.
- Officers shall report to the Executive Board, and when necessary, to the General Membership.

- Section 2:           VACANCY  
If a vacancy occurs in the office of the President, the schools Principal shall resume the office of President. The Principal shall hold the office until such time as candidates can be nominated, published for two consecutive weeks in the school newsletter, and then voted upon at the next General Membership meeting.
- If a vacancy should occur among the other elected officers, the President(s) shall call a meeting of the Executive Board within (30) days to appoint a new officer to finish the unexpired term.
- The new officers shall serve for the remainder of the current school year term and may be elected for the succeeding school year, unless the cumulative years shall exceed 2 years as set forth in Article V, Section 1.

ARTICLE VI  
BOARD COMPOSITION

- The Executive Board shall be composed of the elected and appointed officers of this organization, including President(s), School Principal, Secretary, Treasurer(s), Enrichment Chair(s), Fundraiser and Promotions Chair(s), and the Faculty Representative.
- The Board shall be composed of the Executive Board, The Hollys' Principal, Committee Chairs and Representatives to District Boards.

ARTICLE VII  
STANDING COMMITTEES

- Section 1:           The Executive Board may create such Standing Committees as it may deem necessary to promote the purpose and carry on the work of the organization. The Chair of each standing committee shall be appointed by the President and approved by the Executive Board.
- Section 1a:           Chairs from each standing committee shall provide a summary of the activity/event and present at a General Membership Meeting.
- Section 2:           REPRESENTATIVES TO DISTRICT BOARDS
1. Parent Information Network
    - a. Shall attend meetings of the Cherry Creek School District Parent Information Network.
    - b. Shall report to the Executive Board as requested and monthly at the General Membership meeting.
    - c. Shall publish information regarding parenting resources and programs in the school newsletter and post information on the PTCO website.
  2. Parent Council
    - a. Shall attend meetings of the Cherry Creek School District Parent Council.
    - b. Shall be informed on activities in the District and report to the Executive Board as requested and monthly at the General Membership meeting.
  3. District Accountability
    - a. Shall attend meetings of the Cherry Creek District Accountability Committee.
    - b. Shall report to the Executive Board as requested and monthly at the General Membership meeting.
  4. School Board
    - a. Shall attend meetings of the Cherry Creek Board of Education.
    - b. Shall report to the Executive Board as requested and monthly at the General Membership meeting.
  5. Legislative Network
    - a. Shall attend meetings of the Cherry Creek Legislative Network.

- b. Shall report to the Executive Board as requested and monthly at the General Membership meeting.
- 6. Bingo Chair
  - a. Shall obtain and follow all state rules and regulations regarding Bingo and/or raffle regulations.
  - b. Shall renew the raffle license as necessary.
  - c. Shall propose Bingo/raffle fundraising events/activities and obtain Executive Board approval for expenditures associated with the event/activity.
  - d. Shall plan approved events, which not only raise money but also provide for attendance by as many of the Hollys' families as possible.
  - e. Shall report to the President and as necessary to the General Membership

ARTICLE VIII  
MEETINGS

Section 1: This organization shall attempt to have one (1) General Membership meeting per month during the school year and special meetings as called by the President(s) with a minimum of seven (7) meetings per school year.

At the May meetings, the outgoing officers will introduce the incoming officers who will share all duties and responsibilities until July 1, at which time all records and responsibilities will transfer totally to the incoming officers.

Section 2: Meetings shall be open to all members of the organization and interested community members.

ARTICLE IX  
OPERATING PRINCIPLES

The following are the operating principles to be followed by this PTCO as required by the District Parent-Teacher-Community Council, Inc.

1. The organization shall promote the goal of quality education and support for the general welfare of all students at Holly Hills Elementary/Holly Ridge Primary School by working with the faculty and staff, the Cherry Creek School District community and the students.
2. TITLE 26, SECTION 4911 of the IRS Code  
A Parent Teacher 501(c) (3) Tax-Exempt Organization is allowed:  
To participate in political activities and supporting or influencing legislation, such as a school budget issue or a referendum.  
To participate in activities to influence legislation that may be considered as directly connected to the "survival" of the organization, such as a referendum supporting education.  
To have a speaker come and present information for or against proposed legislation.  
A Parent Teacher 501(c) (3) Tax-Exempt Organization is not allowed:  
To expend monies to have a candidate running for election as a speaker at a meeting, or to endorse a political candidate.  
To expend a "substantial" amount of their funds on activities to influence legislation. A conservative rule of thumb is that the PTCO spend no more than 5% of its annual expenditures in support of election activities.
3. No substantial part of the activities of the organization shall involve attempts to influence legislation or other political activities. The organization shall not participate, on behalf of or in opposition to, any campaign for a candidate for political office. This does not prohibit the distribution of non-partisan materials for the holding of nonpartisan candidate forums.
4. No part of the net earnings of the organization shall inure to the benefit of its members, directors, officers or other private person. The organization shall not carry on any activities not permitted to be carried on by an organization exempt from federal income tax under Section 501(c)(3) of the Internal Revenue Code.
5. Upon the dissolution of this organization and after paying for the debts of the organization, the remaining assets shall be distributed to one or more non-profit organizations which are tax exempt under Section 501(c)(3) of the Internal Revenue Code.

ARTICLE X  
ASSOCIATION WITH CHERRY CREEK SCHOOL DISTRICT  
PARENT-TEACHER-COMMUNITY COUNCIL, INC.

Section 1: This organization is organized under the authority of the Cherry Creek School District Parent-Teacher-Community Council, Inc. and is chartered as a constituent PTCO in accordance with the rules prescribed by the Council.

Section 2: A copy of the By-laws, including certain provisions required by the Council, shall be forwarded to the Council upon adoption. Further, when amendments are made to the By-laws, a copy of the amended By-laws shall be submitted to the Council.

Section 3: If a form 990 is required to be filed with the Internal Revenue Service, a copy of such form shall be submitted to the Treasurer of the Council when filed.

Section 4: Permanent books and records shall be maintained with sufficient detail to adequately reflect all sources of income and nature of expenditures. Such books and records will be made available for inspection, at reasonable times, upon request of an authorized representative of the Council.

Section 5: The President(s) of this organization shall be a member of the Council, along with two appointed parent representatives. The membership fee required by the Council shall be an obligation of this organization.

Section 6: As a constituent organization of the Council, this organization is obligated to operate in accordance with the prescribed rules of the

Council and the Operating Principles in Article TX of these By-laws. Failure to comply with these provisions could result in withdrawal by the council of the charter of this organization.

- Section 7: An annual Affiliation letter shall be signed by the President of the PTCO to the CCSD Parents' Council President affirming their continuation as a subordinate organization under the CCSD Parents' Council Tax Exempt 501(c)(3) status with the Internal Revenue Service. A copy of the document with the original or facsimile signature shall be provided the CCSD Parents' Council (A signature received via a FAX document is deemed acceptable.)
- Section 8: The membership fee required by the CCSD Parents' Council shall be an obligation of this organization.
- Section 9: Copies of all annually required financial filings to the IRS and the Secretary of State (State of Colorado) shall be submitted to the Treasurer of the CCSD Parents' Council within 30 days of filing.

#### ARTICLE VI FISCAL YEAR

The fiscal year shall begin on July 1 and end on June 30 of the following year.

#### ARTICLE VIII QUORUM AND VOTER ELIGIBILITY

The General Membership and Board Members present at any meeting shall be entitled to vote for the purpose of transacting the business of the organization. All eligible voters at a meeting shall constitute a quorum. Unless otherwise required by the By-laws, a majority vote shall decide all matters at the meeting. The President(s) shall vote only in the event of a tie vote.

#### ARTICLE VIII PARLIAMENTARY AUTHORITY

The latest revision of Robert's Rules of Order shall be the authority on parliamentary law, except when in conflict with these By-laws.

#### ARTICLE XIV AMENDMENTS

- Section 1: By-laws will be reviewed by the Executive Board at its first meeting of the year. By-laws will be presented for approval at the General Membership meeting in the first quarter of the school year.
- Section 2: These By-laws may be amended at any General Membership meeting by a majority of the votes of the general members and Board members present and voting, provided that written notice of the proposed amendment(s) shall be given thirty (30) days prior to the meeting.

#### ARTICLE XV CASH PROCEDURES

1. Any expenditure over \$25.00 needs to be pre-approved by the Treasurer.
2. Any expenditure over \$100.00 requires two signatures.
3. Any expenditure which shall cause a budget line item to exceed budget by 10% or \$500.00 must be approved by a majority vote of the General Membership present at the monthly PTCO meeting.
4. Any cash disbursement shall have two people be present.
5. Any deposit shall have two people count the money before it is deposited. Each person signs a Fund Received Form and puts the money in a locked box for the Treasurer.
6. A PTCO member will be reimbursed for an out-of-pocket expense only when a Reimbursement Form is completed detailing what the expense was for and produces receipts.
7. Officers organizing assemblies and events must notify the Treasurer before the event what the cost/costs will be to insure sufficient funds are available. An invoice needs to be presented with a request for check.