

CONSTITUTION
OF THE
IRWIN INTERMEDIATE SCHOOL PARENT TEACHER ORGANIZATION

ARTICLE I NAME AND PURPOSE

Section 1: This Organization will be called the Irwin Intermediate School Parent Teacher Organization (Irwin PTO).

Section 2: The Organization is established as a private organization pursuant to:

- a. DODI 1000.15, Private Organizations on DOD Installations
- b. DOD 5500.7-R, Joint Ethics Regulation
- c. AR 210-22, Private Organizations on Department of the Army Installations.

Section 3: The Organization exists on the military installation at the discretion and with the consent of the Installation Commander.

Section 4: The purpose of the Organization is to promote the welfare of children and youth in the home, school, and community and to foster a relationship between educators, parents, students, and the general public in order to advance the physical, mental, and social well-being of the students. This Constitution supersedes all previous constitutions.

ARTICLE II GENERAL PROVISIONS

Section 1: The Organization will be self-sustaining and will receive no financial assistance from any nonappropriated fund instrumentality in the form of contributions, repairs, services, dividends, or other donations of money or other assets.

Section 2: The Organization will be a non-governmental organization, established and operated by individuals acting exclusively outside the scope of any official capacity as officers, employees, or agents of the Government. The Organization is not established nor operated in pursuant to authority vested in the Army or any official thereof.

Section 3: The Installation Commander may withdraw his consent for the Organization to operate on the installation at any time.

Section 4: The programs and activities conducted will not prejudice or discredit the military

service or any agency of the United States Government.

- a. We will not use the name of any DOD component, unit, or installation in our name.
- b. Not use a seal, logo, or insignia of any DOD component, organization, unit or installations on the Organization's letterhead, correspondence, or in its title;
- c. Not use the name so that it may mislead members of the public to assume the Organization is in fact an organizational unit within the Department of Defense;
- d. Receive prior approval for such use by the head of the appropriate DOD organization.

Section 5: The Organization will not compete with any appropriated or nonappropriated fund activity that offers similar programs or services.

Section 6: The Organization will reimburse the Army for any utility expenses incurred by the Army as a result of the operation of the Organization, unless it would cost the Army more to bill and collect than it costs to provide the utility.

Section 7: The Organization will neither propagate extremist activities nor advocate violence against others or the violent overthrow of the Government.

Section 8: The Organization will not seek to deprive individuals of their civil rights.

Section 9: The Organization will not engage in the distribution or sale of alcoholic beverages at any time.

Section 10: The property of this Organization will consist of such articles as may properly come into its possession. The property shall be accounted for by the Vice President in accordance with generally accepted accounting principles.

All records of this Organization, excluding permanent files and the incompleting checkbook, shall be kept on a calendar year basis, and held at least three (3) years after which time they may be destroyed. The checkbook will be placed with related records when it is completed, using the applicable provisions of AR 25-400-2 series as a guide.

ARTICLE III OFFICERS AND GOVERNING BODY

Section 1: Elected officers of the Organization shall be the President, Vice President, Recording Secretary, and Treasurer. This shall constitute the Executive Board.

Section 2: The chairpersons of each standing committee shall be Book Fair, Box Tops, Fundraising, Membership, Military Child Appreciation, Newsletter, School Store, Spirit Wear, Staff Appreciation, Volunteer, and Yearbook. The Executive Board shall appoint them with a quorum vote.

Section 3: Nominations, elections, terms of office, and duties are outlined in the Bylaws.

Section 4: The Board of Governors will consist of the Executive Board, standing committee chairpersons, a staff representative and the principal. All members of the Board of Governors will be entitled to vote with the exception of the President and the Principal. The President shall only vote in the case of a tie vote.

Section 5: The Board of Governors shall carry out the purposes and objectives of the Organization by approving the transaction of routine business in accordance with the approved Constitution and established policies and shall make and enforce such Bylaws as are necessary for the government of this Organization.

Section 6: At the end of the Organization year, all outgoing officers and chairpersons of standing and special committees shall submit to the Recording Secretary a written report. One copy will go to the incoming President, one copy to the appropriate officer and/or committee chairpersons, and one copy to the Organization files.

ARTICLE IV MEMBERSHIP OR PATRONAGE

Section 1: Membership in this Organization will be voluntary and will be open to any persons interested in promoting the Irwin PTO purpose.

Section 2: The Organization will advertise and solicit membership by providing information to parents and teachers at Open House and throughout the school year. Membership in the Organization will not be discussed in official business meetings, and the Organization secretary and Membership Chairperson will strictly maintain lists of members. Under no circumstances will such list be posted in public view in the school.

Section 3: Membership discrimination based on race, color, sex, religion, age, disability, or national origin will not be permitted. The use of male pronouns in this document is a matter of convenience and in no way implies any intent to discriminate against women.

Section 4: All Board of Governor members shall be required to read the Constitution and Bylaws and sign a Statement of Understanding as a condition for appointment.

ARTICLE V METHOD OF FINANCING

Section 1: The revenue necessary to pursue the objectives of the Organization shall be derived from dues and from revenue-producing activities conducted by the Organization when required, approved, and conducted under the guidance and supervision of the Board of Governors. All revenue-producing activities shall have prior approval of the Installation Commander or his designee. The dues of this Organization are established by the Organization's Bylaws, but may be amended annually by a simple majority vote of the Board of Governors. No dues will be refunded

upon departure or reassignment of any member.

ARTICLE VI ACTIVITIES

Section 1: In support of its purpose, the Organization plans to promote objectives of this organization through educational programs, open houses, general meetings, projects that promote school pride, and fundraisers in accordance with the constitution.

Section 2: Income shall not accrue to individual member. No part of the net earnings of the organization shall inure to the benefits of, or be distributable to its members, directors, trustees, officers, or other private persons except that the organization shall be authorized and empowered to pay reasonable compensation for services rendered.

ARTICLE VII MEETINGS AND QUORUMS

Section 1: General Membership Meetings

a. The Organization will have at least three (3) general membership meetings during the school year with the first one being in August or in the first month of the Organization’s school year. The Executive Committee and the principal shall determine the dates of the meetings. The schedule of the upcoming meeting dates shall be announced at the first regular meeting. Three (3) days notice shall be given of a change of date. At each meeting, the Treasurer will render a financial status report.

b. Fifteen (15) members shall constitute a quorum for the transaction of business at any general meeting of this organization. A simple majority vote shall govern.

Section 2: Board of Governors Meetings.

a. The President shall determine how often the Board of Governors will meet. Special meetings of the Board of Governors may be called at the request of any board member.

b. One half of the members of the Board of Governors will constitute a quorum. A simple majority vote shall govern.

Section 3: All meetings will be conducted according to the then current Robert's Rules of Order (Revised Edition). The President will have the final authority to decide points of order.

ARTICLE VIII ADOPTION AND AMENDMENTS

Section 1: This Constitution and any Bylaws hereto will become effective upon adoption by a simple majority vote of the General Membership present at a duly constituted regular or special meeting and upon approval of the Installation Commander or his designee. This Constitution will then supersede all previous constitutions and amendments. Notice of amendments to the Constitution must be made at a regular membership meeting prior to presentation for a vote at a

regular or special meeting of the general membership.

Section 2: Amendments to the Constitution must be approved by a simple majority vote of the members of the Board of Governors present at a duly constituted regular or special meeting.

Section 3: Bylaws may be amended by a simple majority vote of the Board of Governors present and voting in a duly constituted meeting. A member desiring to propose an amendment shall present the proposed amendment in writing with his/her signature to the Board of Governors. The board shall consider the amendment at its next meeting.

ARTICLE IX INSURANCE

Section 1: Adequate insurance shall be secured by the Organization to protect against public liability and property damage claims or other legal actions that may arise as a result of activities of the Organization or one or more of its members acting in its behalf, or the operation of any equipment, apparatus, or device under control and responsibility of the Organization.

Section 2: The Board of Governor members may be held personally liable for debts, claims, and legal actions that arise as a result of the activities of the Organization or one or more of its members acting on its behalf. All Board members shall be required to sign a statement acknowledging their individual personal liability in the event Organization assets are insufficient to discharge all Organization liabilities. The Organization shall ensure that all State and jurisdictional laws are met.

Section 3: Fidelity bonding will be purchased equal to the normal maximum amount of cash handled.

ARTICLE X DISSOLUTION

Section 1: Upon dissolution of the Organization by an affirmative vote of a majority of the General Membership, without any provision to meet again in the future, the funds in the treasury at the time shall be used to meet any outstanding debts, liabilities, or obligations. The balance will be disposed of as determined by the membership with the proviso that members can only dispose of the assets in a manner consistent with the purposes of the Organization for which the funds were raised initially. No part of the remaining assets may inure as income to the members. This liquidation may result in a personal liability on the part of individual members. In the event that Organization liabilities exceed Organization assets, Board of Governor members will be personally liable for his pro rata share of the Organization’s outstanding liabilities.

This Constitution was approved by a simple majority vote of the General Membership present at a regular meeting held on _____. In witness whereof the following officers affix their signatures.

President_____

Vice President_____

Recording Secretary_____

Treasurer_____

BYLAWS
OF THE
IRWIN INTERMEDIATE SCHOOL PARENT TEACHER ORGANIZATION

ARTICLE I DUTIES OF THE OFFICERS

Section 1: The duties of the officers shall be those implied by respective titles, those prescribed by the Constitution of the Organization, and those specified by these Bylaws. A term shall constitute one calendar year. A person shall only be eligible to serve two (2) consecutive terms in the same office.

Section 2: The Organization, its officers, and its members will comply will all provisions of the following regulations:

- a. DODI 1000.15, Private Organizations on DOD Installations
- b. DOD 5500.7R, Joint Ethics Regulation
- c. AR 210-22, Private Organizations on Department of the Army Installations
- d. US Army Infantry Center Policy Memorandum Private Organizations

Section 3: The President shall:

- a. Preside at all meetings of the Board of Governors and the General Membership meetings.
- b. Appoint non-elected chair members with approval of the Executive Board.
- c. Be an ex-officio member of all committees, except the nominations and elections committee.
- d. Be a co-signer with the Vice-President to disperse checks in the absence of the Treasurer. To be a co-signer on all checks.
- e. Vote in the case of a tie.
- f. Act as a liaison with the DMWR on all regulations affecting Private Organizations.
- g. Coordinate the work of the officers in order that the Irwin goals may be promoted.
- h. Complete an after action report at departure.
- i. Maintain a file of SOP's, monthly reports, minutes, Constitution and By-laws, an dArmy Regulations for submission to his successor.
- j. Direct the orderly and complete transition of the new board.

Section 4: -The Vice-President shall:

- a. Perform the duties of the President during a Presidential absence or vacancy.
- b. Assist the President with such activities as directed.
- c. Be a co-signer with the President to disperse checks in the absence of the Treasurer. To be a co-signer on all checks if the President is not available.
- d. Maintain property accountability book.
- e. Shall assume duties of the President should the office of President be vacated.
- f. Complete an after action report at departure.
- g. Maintain a file of SOP's, month reports, minutes, Constitution and By-laws for submission to his successor.
- h. Provide for an orderly transition to the incoming board member.

Section 5: The Recording Secretary shall:

- a. Keep an accurate record of all meetings of the Executive Board, Board of Governors and the General Membership meetings.
- b. Submit copies of the minutes to the Board of Governors for acceptance. Once accepted the copies of the minutes and treasurer's reports must be submitted to the Directorate of Morale, Welfare, and Recreation (DMWR) by the 15th of the following month.
- c. Must keep a list of all Board members, committee chairs and committee members.
- d. Shall be responsible for administering any telephonic/email votes as per Article II, section 2, of the Bylaws and for properly entering such action and its results in an addendum to the minutes to be read the next scheduled Board of Governors meeting.
- e. Maintain a file of SOP's, month reports, minutes, Constitution and By-laws for submission to his successor.
- f. Maintain files of Private Organization rules and regulations.
- g. Complete an after action report at departure.
- h. Collect end of year after action reports from committee chairs and disseminate a copy to incoming President, incoming committee chair and a copy kept in her records.
- i. Provide for the orderly transition to the incoming board member.

- j. Ensure that the nominations for incoming board positions are announced in the April newsletter.

Section 6: The Treasurer shall:

- a. Maintain all financial funds and records.
- b. Receive all funds of the organization from fundraising.
- c. Have authorization to co-sign all checks, pay bills as authorized by the Board of Governors, approved in the budget.
- d. Keep an itemized account of all receipts and disbursements in the Treasurer's journal, along with supporting warrant, vouchers, audit reports, and records.
- e. Ensure that the records of account be open and available at the request of a member of the Organization.
- f. Prepare annual budget with the Executive Board to be brought before the Board of Governors for approval, General Membership for approval and forwarded to the DMWR.
- g. Submit a monthly statement in writing to the Board of Governors of the financial account. This statement upon acceptance of the Board of Governors shall be forwarded to the DMWR, via Recording Secretary.
- h. Arrange for annual or change of Treasurer audits as specified in Article V, Section 3.
- i. Prepare an end of the year financial statement and submit this to the auditor, President, and successor.
- j. Coordinate for tax preparation paperwork to be filed.
- k. Maintain a file of SOP's, month reports, minutes, Constitution and By-laws for submission to his successor.
- l. Complete an after action report at departure.
- m. Provide for the orderly transition to the incoming board member.
- n. Provide a copy of audit and tax preparation paperwork to DMWR.

Section 7: The Committee Chairpersons shall:

- a. Attend scheduled board meetings or send a designee.
- b. Provide a monthly report of activities.

- c. Be a member of the Organization.
- d. Submit an after action report to the Recording Secretary no later than the May meeting.
- e. Provide for the orderly transition to the incoming board member.

Section 8: The Teacher Representative shall act as a liaison between the teachers of Irwin and the Board of Governors. He shall also be active in seeking the participation of teachers in any PTO sponsored programs.

Section 9: With the exception of the office of the President, whose succession is assured in this Article, vacancies occurring in any of the offices shall be filled by the Executive Board with a simple majority vote of the members present and voting in a duly constituted meeting.

Section 10: These Bylaws supercede all previous Bylaws.

ARTICLE II ELECTIONS AND VOTING

Section 1: The officers designated by Article III of the Constitution shall be elected from and by the General Membership at the May meeting for a term of one year (calendar). All active members present are entitled to vote.

Section 2: The President will have the authority to conduct a vote by telephone or email of the voting members of the Board of Governors in the event of the requirement of an immediate decision of such urgency to preclude a called meeting per Article VII, Section 2a, of the Constitution. An attempt shall be made to contact all Board of Governor members. A simple majority of those members polled is required to reach a decision. The telephonic or email vote is to be administered solely by the Recording Secretary. Each voting member must be informed that this is a voting procedure and must be read the motion under consideration in its complete form. The polling should be conducted with dispatch. All telephonic votes are to be reflected in the minutes as stipulated in Article I, Section 5, of the Bylaws. The minutes will include the exact wording of the motion, the names of those voting members who could not be contacted, and an exact accounting of the vote.

ARTICLE III DUES AND FEES

Section 1: Each member of this organization shall pay annual dues of \$3.00. A family membership may be purchased for \$5.00. The fiscal year shall run July 1 through June 30.

ARTICLE IV COMMITTEES

Section 1: Standing and special committees may be created, changed, or abolished at the direction of the President with the approval of the Executive Board.

Section 2: Committee chairmen shall appoint their own committee members. Each standing committee shall be present or be represented at every board meeting and will make a report in writing, annually, or as otherwise directed, to the Recording Secretary.

ARTICLE V FINANCES AND TAXES

Section 1: The Treasurer's books shall be audited IAW AR 210-22, paragraph 3-3.

Section 2: The Executive Board shall not incur any financial obligations that extend beyond its term in office.

Section 3: A monthly audit shall be conducted by a non authorized member of the bank account. An annual audit will consist of three (3) private organization members who do not hold a position on the Board of Governors.

Section 4: In no event shall the United States Government be held liable, in fact or in spirit, for any indebtedness incurred by the members of the Organization.

Section 5: The Board of Governors may authorize any single expenditure of funds in an amount of \$1000.00 or less. The General Membership must approve expenditures over \$1000.00.

Section 6: The Board of Governors shall expressly approve all expenditures essential for the operation of this Organization, and shall ensure that all disbursements are within the purpose for which this Organization was established, in accordance with sound business practices, and within the budget.

Section 7: The President can approve, without referral to the Board of Governors, requests for incidental funds not to exceed the amount of \$50.00 (fifty dollars) for any one request nor to exceed \$300 (three hundred dollars) for any one year. The Treasurer will issue the check covering such authorizations. No petty cash is authorized.

Section 8: The Organization year shall run from the date of the installation of officers during the June meeting to the installation of officers the following June. The fiscal year and the membership year shall run the same dates, July 1 through June 30.

Section 9: The Organization is a tax-exempt organization.

Section 10: The Organization shall be responsible for ensuring applicable fire and safety regulations, environmental laws, local, State, and Federal tax codes, and any other applicable statutes and regulations are complied within the operation of the Organization.

ARTICLE VI AWARDS/GIFTS

Section 1: Tokens of appreciation may be authorized for members by Board of Governors in an amount not to exceed value of \$20.

ARTICLE VII

HIRING AND SUPERVISION OF EMPLOYEES

Section 2: Not Applicable.

ARTICLE VIII

DUTIES OF EMPLOYEES AND EMPLOYEES' BENEFITS

Section 3: Not Applicable.

These Bylaws were approved by a simple majority vote of the General Membership present at a regular meeting held on_____. In witness whereof the following officers affix their signature.

President_____

Vice President_____

Recording Secretary_____

Treasurer_____

The undersigned are the officers of the Organization:

President:

Name printed: _____

Address printed: _____

Telephone # printed: _____

Vice President:

Name printed: _____

Address printed: _____

Telephone # printed: _____

Recording Secretary: Treasurer:

Name printed: _____

Address printed: _____

Telephone # printed: _____

Name printed: _____

Address printed: _____

Telephone # printed: _____