

FORT SETTLEMENT MIDDLE SCHOOL

PARENT TEACHER ORGANIZATION

BYLAWS

AMENDED AND APPROVED September 16, 2021

ARTICLE 1: ESTABLISHMENT OF THE ORGANIZATION

Section 1. Name. The name of this Organization shall be the Fort Settlement Middle School Parent Teacher Organization (hereinafter referred to as the “PTO”), a voluntary, non-profit unincorporated association which may, within the limits of applicable law, do all things necessary or desirable for the attainment of its stated purposes.

Section 2. Principal Office. The principal office of the PTO shall be located at 5440 Elkins Rd., in Sugar Land, Fort Bend County, Texas, 77479 in the Fort Bend County Independent School District (hereinafter referred to as the “FBISD”).

ARTICLE II: PURPOSES, POWERS, APPROVAL AND AMENDMENTS

Section 1. Purposes. The PTO has been established to promote the welfare and educational, vocational and character development of students who attend Fort Settlement Middle School (hereinafter referred to as the “School”) and to develop and maintain a forum for parents, teachers and citizens within the community interested in the advancement of those purposes. The PTO shall not attempt to direct the administration or policies and activities of the School. The PTO is organized and shall be operated exclusively for the charitable and educational purposes within the meaning of Section 501(c)(3) of the Internal Revenue Code concerning tax-exempt organizations. No substantial part of the activities of the organization shall be the carrying on of propaganda, influencing legislation, or participation in political campaigns for public office. The PTO shall not

engage, participate, nor intervene in any activity or transaction, which would result in the loss of its status as a tax-exempt entity.

Section 2. Powers. In order to accomplish the foregoing purposes and to finance programs in support thereof, the PTO is empowered to solicit and accept membership dues and voluntary contributions and to receive, invest and distribute funds and to hold property in furtherance of its objectives. No part of the income or assets of the PTO shall benefit any member or other individual or entity.

Notwithstanding any other provision of these articles, the organization shall not carry on any other activities not permitted to be carried on by a) an organization exempt from Federal income tax under section 501 (c) (3) of the Internal Revenue Code (or the corresponding provision of any future United States Internal Revenue law), or b) an organization contributions to which are deductible under section 170(c)(2) of the Internal Revenue Code of 1986 (or corresponding provision of any future United States Internal Revenue law).

Section 3. Approval. All programs and fundraising for the School are subject to the approval of the principal of the School.

Section 4. Amendments. These Bylaws may be amended at any General meeting of the members, at which a quorum is present and voting throughout, by a vote of two-thirds (2/3) of the members present at such meeting, provided the proposed amendment was posted at the school two (2) weeks prior to the vote.

ARTICLE III: MEMBERSHIP

Section 1. Eligibility. Membership in the PTO shall be open to those individuals who subscribe to its purpose and objectives, have expressed in written form their desire to be members, and who are a) parents, grandparents, or legal guardians of students enrolled in the School or b) members of the faculty, staff and their families, without regard to race, color, creed, or national origin. Interested adults who do not qualify under a) or b) above, may petition its governing board (“Board”) to become members of the PTO.

Section 2. Annual Dues or Donations. The Board prior to September 1st shall determine the annual dues each year. Donation to annual fundraising efforts entitles donor to membership.

Section 3. Members in Good Standing. Only current members in good standing shall have the privilege of making motions, voting or holding office. Membership Committee Chair shall maintain throughout the year a list of the current members of the PTO.

Section 4. Additional Members. General enrollment of members shall be conducted annually at the beginning of each school year. Additional members shall be accepted at any time.

ARTICLE IV: MEETINGS OF THE MEMBERS

Section 1. General Meetings. General meetings of the members shall be held during the school year, day and time to be set annually. General meetings may be rescheduled by the Board to avoid conflicts with holidays or other local meetings.

Section 2. Election Meeting. The Election meeting of the members shall be held during the General Meeting in April of each year. The meeting shall be held for the purpose of electing Officers of the PTO, as defined in Articles V and VI of these Bylaws, and for the transaction of any other business properly brought before the meeting.

Section 3. Special Meetings. Special meetings of the members may be called by the President at the request of a majority of the Board, or at the request of five percent (5%) of the members, to transact any business, which needs to be brought before the meeting.

Section 4. Notice. Three (3) days notice shall be required for any General, Special or Election meeting. Notice for all meetings shall indicate the time, date and place of the meeting. The meeting shall be called by means of posting or publication.

Section 5. Agenda. The order of business to be followed during each meeting shall be determined by the President.

a.) Any item of business included in the agenda and/or properly brought before the meeting may be discussed, transacted and voted on during such meeting.

b.) In lieu of reading the previous months minutes for approval, the Recording Secretary shall or email minutes to members for approval. Should any corrections need to be made, the Recording Secretary will read the corrections at the next Meeting and email amended minutes to members.

Section 6. Quorum. A quorum will be determined by counting twenty (20) current members on the PTO membership roster. Should quorum not be established, the President may call for the meeting to be adjourned and rescheduled.

Section 7. Manner of Voting. Once quorum is established and verified by the Parliamentarian, voting shall be by voice only unless the President or Principal deems it necessary to have a vote by written ballot.

ARTICLE V. THE BOARD

Section 1. Duties. The property, affairs and business of the PTO shall be managed by its Board who shall set and determine the policies of the PTO. The Board shall have the power to adopt an annual budget, disburse funds, approve plans and programs to raise funds, and perform all other duties as may be necessary or desirable to carry out the stated purposes of the PTO.

Section 2. Composition. The Board shall consist of the Executive Officers of the PTO, the Standing Officers, and the Teacher Representative(s). The Principal of the School and the Teacher Representative(s) shall serve as non-voting members of the Board. The Teacher Representative(s) serving on the Board shall provide input from the faculty and advise the Board of special needs of the students.

Section 3. The Nominating Committee. During the General meeting in March of each year, the Board shall present candidates to serve on the Nominating Committee. The members of the Nominating Committee shall be appointed by the Board and shall consist of 5 members of the PTO.

No person may serve on the Nominating Committee for more than one (1) year, except for the Parliamentarian (who may serve no more than two (2) consecutive years). The Parliamentarian shall serve as chairman of the Nominating Committee.

Service on the Nominating Committee does not exclude a person from seeking an office in the PTO.

Persons wishing to run for an office may complete a form in writing stating which office he or she would like to hold. Persons may nominate someone else to an office.

The Nominating Committee shall be responsible for a) evaluating the qualifications of each nominee, b) providing nominees with the position description and responsibilities associated with a board position.

Records of the Nominating Committee shall be retained by the Parliamentarian should a vacancy occur during the year.

Section 4. Elections. At the Election Meeting in April, the Nominating Committee shall be responsible for recommending a nominee for election to each Executive and Standing Office, designating the capacity in which each nominee has agreed to serve.

In addition, nominations for Officers may be accepted from the members at large during the Election Meeting in April following the report submitted by the Nominating Committee. All nominees for election or appointment shall be either current members of the PTO or provide a document stating their intent to join the PTO prior to the first day of school. Nominees shall personally consent to stand for election or appointment as the case may be after their names are placed in nomination.

Election of all Officers and all motions voted on by the members shall be decided, except as otherwise provided in these Bylaws, by a majority of the voting members present at a meeting provided a quorum is established and maintained throughout the Voting. Election of Officers shall be established by voice vote unless there is more than one (1) nominee for any position, in which case, a written ballot will be utilized.

Section 5. Teacher Representative(s). The Teacher Representative serving on the board shall be chosen by the faculty or appointed by the principal.

Section 6. Term of Office. The Executive Officers and Standing Officers shall be elected at the Election Meeting in April. Installation of officers will take place at the May General meeting. All elected Officers shall serve in the capacity for one [1] year beginning July 1st ending June 30th.

Section 7. Consecutive Terms. Executive officers may serve for consecutive terms on the board but may not serve for more than two (2) years as an executive officer in the same capacity. Standing officers may serve for consecutive terms on the board but may not serve for more than two (2) years as a standing officer in the same capacity. However, it is recognized that there may arise a need for a standing officer to serve more than two (2) years as a standing officer in the same capacity and therefore with the approval of the Board, a standing officer may serve more than two years as a standing officer in the same capacity.

Section 8. Removal from Office. A member of the Board may be removed from office for

- a) failure to perform duties, criminal misconduct or unethical behavior in PTO business by two-thirds (2/3) vote of the Board.
- b) failure to attend three (3) consecutive Business meetings of the Board by a majority vote of the Board. Two (2) weeks prior to taking such action, the President of the Corresponding Secretary shall send to the member of the Board being consider for removal, notice of such action by “Registered Mail, Return Receipt Request.”

A member of the Board removed from office may appeal the removal by the Board to the PTO members, beyond which there shall be no appeal.

Section 9. Resignations/Vacancies.

- a) A Board member may resign by giving at least two (2) weeks notice to the remaining Board members. In an emergency the two (2) week time factor may be waived.
- b) The Board shall appoint an ad hoc committee from among its own members to fill a vacancy.

- c) The ad hoc committee submits a nominee to fill any unexpired term to the board for election by written ballot, which may be dispensed with in favor of voice vote if there is only one nominee to the vacant position.
- d) The Board shall have the option of not replacing a resigning or removed Board member.

ARTICLE VI. BOARD MEETINGS

Section 1. Board Business and Special Meetings. Regularly scheduled Business meetings of the Board shall be held monthly. Any items of business properly brought before the Business meeting of the Board may be transacted and voted on during such meetings.

- a) **Special Meetings** during extended school break or holiday when school is not in session for *more than 10 days*, the Executive Board may request Board members to consider urgent business. Board members will be sent information in email format and may reply with their comments and suggestions after discussing with their committee members. Should a vote be required, it will be done so as an Email ballot (*as described in Article VI. Section b, ii*).

Section 2. Quorum and Manner of Voting. The presence of one-half (1/2) plus one of the members of the Board shall constitute a quorum at any Business or Special meeting of the Board. The President can vote as any other member when the vote is by ballot. In a voice vote, the President does not cast a vote unless necessary to break a tie. The Parliamentarian has the duty to maintain a position of impartiality, and therefore does not vote on any question except in the case of a ballot vote.

Should quorum not be established, the President may call for

- a) the meeting to be adjourned and rescheduled.
- b) the meeting to continue and any vote to be carried out be done so by email ballot.
 - i) Email ballot shall commence forty-eight hours (48) after approved meeting minutes

have been distributed to Board members for review.

- ii) Email ballot shall be conducted by the Parliamentarian and treated as a
vote by written ballot.

All motions voted upon at any meeting of the Board at which a quorum has been established and maintained throughout, shall be decided, except as otherwise provided in the Bylaws, by a majority of the Board members present at the meeting.

ARTICLE VI. EXECUTIVE OFFICERS

Section 1. Executive Officers. The Executive Officers of the PTO shall consist of President, Vice President, Treasurer, Recording Secretary, Corresponding Secretary, and Parliamentarian. All executive officers shall sign the Confidentiality, Ethics and Conflict of Interest Agreement on an annual basis.

Section 2. President. The President shall be the Chief Executive Officer of the PTO and shall: a) if present, preside at all meetings of the members and the Board, b) be an ex officio member of all committees except the Nominating Committee, c) appoint with the advice and consent of the Board, the members and chairpersons of any special committees, d) have supervision of and general executive and administrative duties relating to the PTO subject to the control of the Board, and e) implement the general directive, plans and policies formulated by the Board.

Section 3. Vice President. The Vice President shall have such powers and responsibilities as may be determined by the President or the Board. In the absence of the President, the Vice President shall perform the duties and exercise the authority of the President.

Section 4. Treasurer. The Treasurer shall: a) have custody of the funds, b) keep full and accurate accounts of receipts and disbursements in the books and records, c) deposit all funds in the name and to the credit of the PTO, d) present an accurate account of all transactions and a report on the financial condition of the PTO at each General and Board meeting, e) prepare the financial books for audit, f) arrange for an annual audit

to be performed and completed by July 31st of each year and g) prepare and submit all required forms for income and sales taxes.

The Treasurer may disperse expenses that have been budgeted and are within budget limits without the approval off the Board. The Treasurer shall also perform other duties assigned by the President of the Board.

Section 5. Recording Secretary. The Recording Secretary shall: a) attend all meetings of the Members and the Board, b) record the minutes of those proceedings in a minute book, c) distribute minutes to all members of the Board within seven (7) days of the meeting, d) make the minutes available to members upon request, e) confirm that all executive, standing officers and ad hoc committee members have signed the PTO Confidentiality, Ethics and Conflict of Interest Agreement, and f) perform other duties assigned by the President of the Board.

Section 6. Corresponding Secretary. The Corresponding Secretary shall: a) conduct the correspondence necessary for conducting the business of the PTO, and b) perform other duties assigned by the President of the Board.

Section 7. Parliamentarian. The Parliamentarian shall: a) advise the presiding officer on questions of parliamentary procedure utilizing Robert's Rules of Order as a guide, b) provide Board with annual Voting Guide Count, c) determine quorums and tabulate votes at all Board, General, Election, and Special Meetings, d) maintain order at all Board meetings, e) keep the Bylaws and amendments in a designated book, f) act as chairman of the Nominating Committee, and g) perform other duties assigned by the President of the Board.

ARTICLE VII: STANDING OFFICERS

Section 1. Standing Officers. The Standing Officers of the PTO shall be responsible for developing programs in support of the stated purposes of the PTO. One or more persons may be elected to each position provided that such position shall be counted as one vote for purposes of determining a quorum or approving any

matter. The Standing Officers shall be the Coordinators of the following committees/programs. All standing officers shall sign the Confidentiality, Ethics and Conflict of Interest Agreement on an annual basis.

Section 2. Beautification Committee. The Beautification committee shall be responsible for the upkeep of the School's interior, exterior and landscaping and all other aspects of the School's grounds and appearance.

Section 3. Cultural Co-Existence Committee. The Cultural Co-Existence Committee shall work with the Principal and/or school liaison to provide activities and programs that recognize and celebrate the cultural diversity of the School population.

Section 4. Wellness Committee. The Wellness Committee shall: a) coordinate participation in national and local Bike to School events, b) coordinate with the FBISD School Health Advisory Council (SHAC) and c) work with the School to promote student social, emotional and physical wellness.

Section 5. Fundraising Committee. The Fundraising Committee shall be responsible for: a) the School-wide Falcon Fundraiser b) all other PTO fundraising, c) securing Sponsorships from local businesses, d) submission of all FBISD required fundraising documentation, e) compile, maintain and provide an accurate PTO membership list at all meetings and f) providing donors with tax receipt/letter.

Section 6. Membership Committee. The Membership Committee shall work with the Fundraising Committee, conduct annual membership drive, maintain current membership records and provide members with tax donor letters.

Section 7. Hospitality Committee. The Hospitality Committee shall serve as the official host of the PTO. It will be responsible for organizing and arranging all teacher appreciation functions and other activities as requested by the Board.

Section 8. Webmaster/Communication Committee: Webmaster/Communication Committee shall: a) be responsible for maintaining and updating the PTO website, b) provide a printed and/or electronic Summer Newsletter to be mailed or emailed out prior to the start of school each year, c) provide updated information to

the School's webmaster and d) communicate with other committees in order to provide most accurate information.

Section 9. Publicity Committee. The Publicity Committee shall: a) notify the media of School events, b) promote School activities in the district newsletter and c) assist with other committees, if needed.

Section 10. School Board Representative. The School Board Representative will attend school board meetings and provide accurate information to the PTO on decisions and developments from those meetings.

Section 11. Spirit Committee. The Spirit Committee shall: a) provide activities and events that boost the moral of the students and create pride in the School, b) sell T-shirts and other items promoting the School's name and mascot and c) provide the School with school store open times.

Section 12. VIPS (Volunteers in Public Schools). The VIPS Coordinator is a FBISD supported position. The coordinator shall: a) attend FBISD district VIPS meetings, b) be responsible for coordinating the volunteer program within the Schools to meet the needs of the faculty, staff and students, c) act as a liaison between the School and the District and d) submit reports as required to the District.

Section 13. 8th Grade Events Committee. The 8th Grade Events Committee shall: a) coordinate PTO sponsored 8th grade events (including but not limited to 8th Grade Career Day and 8th Grade Party), b) meet regularly with the 8th grade assistant principal to coordinate and approve events, c) coordinate with FSMS Athletic Coordinators with regard to athletic concession sales and d) recruit coordinators for 8th grade Career Day and 8th grade Party.

Section 14. Grants Committee. The Grants Committee shall be responsible for: a) providing Grant request information and applications to school faculty, b) meet monthly with the school Principal to review Grant applications, and c) present recommendations to the Board of approved grant items to be purchased for the school from funds acquired through fundraising activities, membership drives and any other sources.

ARTICLE VIII: AD HOC COMMITTEES

Ad Hoc Committees. Ad Hoc Committees are created with approval of the board when new projects are instituted or needs are identified. These committees are not permanent and may be established and disbanded on an as needed basis. The Chairperson of the committees may attend Board meetings but are not considered voting members of the Board. All ad hoc members shall sign the Confidentiality, Ethics and Conflict of Interest Agreement on an annual basis.

ARTICLE IX. FISCAL RESPONSIBILITY

Section 1. Fiscal Year. The fiscal year of the PTO commences July 1st and shall end on June 30th of each year.

Section 2. Annual Budget. The annual budget of the PTO shall be reviewed, presented and approved through a vote, during the April General meeting.

Section 3. Audit/Financial Review. An audit/financial review of the books and records of the PTO will be conducted and completed by July 31st each year. The Audit/Financial Review Committee shall consist of at least two [2] current PTO members and should be approved by the Board. The Audit/Financial Review Committee shall follow audit guidelines as indicated by FBISD.

Section 4. Checks and Drafts. All checks and drafts or other orders for the payment of money issues in the name of the PTO shall be signed by any two (2) of the following: The President, Vice President, or Treasurer. Budgeted items in excess of budget limits or any non-budgeted items may be dispersed upon approval of the President, Vice President and Principal or by the Board.

Section 5. Disposition of Assets upon Dissolution. In the event of dissolution of the PTO, all outstanding bills shall be paid and all remaining property and assets of the PTO shall be distributed to the school or, if such disposition is not possible, to one or more non-profit charity PTO's selected by the Board so

long as such disposition shall be for “one or more exempt purposes” within the meaning of section 501(c) (3) of the Internal Revenue Code (or corresponding section of any future tax code). In no event shall the remaining property and assets of the PTO be distributed to any member or other individual entity.

Any such assets not so disposed of shall be disposed by the Court of Common Pleas of the county in which the principal office of the organization is then located, exclusively for such purposes or to such organization or organizations, as said Court shall determine, which are organized and operated exclusively for such purposes.

The Bylaws were approved and amended by a 2/3rd vote by Fort Settlement Middle

School PTO members present at the Board meeting held on September 16, 2021; the bylaws were approved and adopted by a majority vote on April 24, 2019 and March 23, 2016.

_____, Parliamentarian

ATTEST: _____, Recording Secretary