

# Waikiki School Parent Teacher Organization

## BYLAWS

### ARTICLE I: NAME

The name of this association is the **Waikiki School Parent Teacher Organization** (hereinafter referred to as “PTO”). The association’s principal place of business shall be the City and County of Honolulu, in the state of Hawai‘i, and the mailing address shall be 3710 Leahi Avenue, Honolulu, HI 96815.

### ARTICLE II: PURPOSE STATEMENT

**Section 1:** The relationships within the Waikiki Community, which includes students, teachers, staff, parents, partners and general public, are a vital influence on the success of our children’s futures. Therefore, our purpose is to foster a sense of support, pride and enthusiasm; to encourage parent and public involvement in Waikiki School; and to bring into closer relation the home and the school, that the parents and teachers may cooperate intelligently in the education of children and youth, to engage in activities which promote and foster community spirit and mutual understanding within our school community. The Waikiki School PTO shall provide service for school functions, engage in fundraising projects, encourage parent, teacher, and community involvement, and cooperate with school administration in providing educational opportunities.

**Section 2:** The Waikiki School PTO is organized exclusively for the charitable, literary and educational purposes within the meaning of Section 501(c)(3) of the Internal Revenue Code or corresponding section of any future federal tax code.

### ARTICLE III: POLICIES

**Section 1:** The policies shall be developed through meetings, conferences and committees and shall not direct or control the administrative activities of the school.

**Section 2:** In accordance with the State of Hawai‘i Department of Education directives, the principal must be informed before any fundraising efforts are initiated, to ensure better coordination of fundraising efforts in the community.

**Section 3:** The PTO shall be noncommercial, nonsectarian and nonpartisan.

**Section 4:** No part of the net earnings of the PTO shall inure to the benefit 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, and to make payments and distributions in furtherance of the purposes set forth in Article II hereof.

**Section 5:** Notwithstanding any other provision of these articles, the PTO shall not carry on any other activities not permitted to be carried on (i) by an organization exempt from federal income tax under Section 501(c)(3) of the Internal Revenue Code or (ii) by an organization, contributions to which are deductible under Section 170(c)(2) of the Internal Revenue Code.

### ARTICLE IV: MEMBERSHIP AND DUES

**Section 1:** Membership in this PTO shall be made available without regard to race, color, creed or national origin.

**Section 2:** Membership in this PTO is open to all who would engage in activities which promote and foster community spirit and mutual understanding within the school and among its various constituents, especially the children.

**Section 3:** This PTO shall conduct an annual enrollment of members, but may admit persons to membership at any time.

**Section 4:** There are no annual dues for membership in the PTO.

## **ARTICLE V: OFFICERS AND THEIR ELECTION**

**Section 1:** The Executive Board shall consist of the following elected officers to minimally include a president, vice president, secretary, and treasurer.

**Section 2:** Each officer or board member shall be a member of this PTO.

**Section 3:** The president shall:

- a. Preside at all general, special, and Executive Board meetings. Communicate with the vice president if unable to attend;
- b. Coordinate the work of the officers and committees in order that the objectives may be accomplished;
- c. Submit PTO News to the principal for the monthly newsletter;
- d. Execute decisions of the Executive Board;
- e. Serve as primary contact for the principal.

**Section 4:** The vice-president shall:

- a. Attend PTO meetings. Communicate with president if unable to attend;
- b. Act as an aide to the president;
- c. Perform the duties of the president in the absence or inability of that officer to serve;
- d. Perform other delegated duties as assigned;
- e. Should the president be unable to complete his/her term, the vice president would assume the office of president.

**Section 5:** The secretary shall:

- a. Attend PTO meetings and record the official minutes. Communicate with president if unable to attend;
- b. In the event the president and vice president are unable to attend a meeting the secretary will preside;
- c. Provide copies of minutes to all Executive Board members no later than two weeks after a meeting;
- d. Provide electronic copy of minutes and other appropriate materials to the school administrator for web page updates;
- e. Keep a log of attendance of the meetings;
- f. Keep a current copy of the bylaws;
- g. Distribute the bylaws to all Executive Board members and other interested parties;
- h. Maintain a current membership list;
- i. Perform other delegated duties as assigned.

**Section 6:** The treasurer shall:

- a. Attend PTO meetings. Communicate with president if unable to attend;
- b. Serve as an authorized signatory on all PTO accounts, provided they are not an employee of the Department of Education in any capacity;
- c. Have checks signed by two persons, the treasurer and one other designated alternate approved by the Executive Board, provided they are not employees of the Department of Education in any capacity;
- d. Maintain accounts;
- e. Keep an accurate record of receipts and expenditures;
- f. Present financial statements as needed at PTO meetings;
- g. Make all deposits within 30 days or sooner;
- h. Make disbursements as authorized by the Executive Board;
- i. Make all payments and reimbursements within 30 days or sooner;
- j. Be responsible for filing all Hawaii State General Excise Tax returns.
- k. Be responsible for communicating with any CPA contracted by PTO for preparation of federal or state forms.
- l. Be responsible for working with CPA to prepare and file IRS Form 990 or Form 990-EZ for the year(s) that he/she maintained the financial records, in order to satisfy Internal Revenue Service filing requirements. All tax returns and correspondence shall be sent to the Internal Revenue Service through Certified Mail, Return Receipt Requested. May be outsourced at the discretion of the Executive Board.

**Section 7:** Duties of the Immediate Past President

- a. Serve as an advisor to the Executive Board for one year immediately following his/her term in office.

**Section 8: Duties of General Member(s)-At-Large**

- a. Attend PTO meetings.
- b. Volunteer when needed.

**ARTICLE VI: MEETINGS**

**Section 1:** General Meetings of the PTO shall be held during the school year as follows: on the 2<sup>nd</sup> Tuesday of each month during the school year, unless there is a school holiday, even (7) days notice having been given if change of date is required.

**Section 2:** Special meetings of the PTO may be called by the president or by a majority of the Executive Board, seven (7) days notice having been given.

**Section 3:** Meetings shall last no longer than one-and-a-half (1.5) hours. At that time a vote shall be taken on whether to continue on a topic. Only topics on the agenda will be discussed. If time permits we will vote on other topics wished to be discussed. All unfinished business shall be carried over to the next meeting.

**Section 4:** During any PTO meeting, a majority of the executive board members shall constitute a quorum.

**ARTICLE VII: TERMS OF SERVICE**

**Section 1:** Each officer shall serve a term of two school years. The term of office shall end the last day of the school year. The new officers shall begin their term immediately thereafter.

**Section 2:** Immediately following the election, the newly-elected officer shall begin working in tandem with the outgoing officer until the completion of the outgoing officer's term. Only the outgoing officer shall have voting authority during this period of transition.

**Section 3:** A person does not have to step down at the end of his/her term if they choose not to; elections will not be held for that office. They will sign up for another two year term. No more than 5 terms for a total of 10 years may be held in any one office.

**Section 4:** Each outgoing Officer shall present a resume of their responsibilities to the newly elected Officer and assist them as needed for up to one year.

**Section 5:** Removal from office: The removal of any officer shall be for gross incompetence, intentional neglect, misconduct, or failing to meet the clearances required by the school. An officer may be removed from office if absent from three (3) consecutive meetings, or by a majority vote of the membership for failure to fulfill the duties of their office. A special meeting will be held to answer the complaint.

**Section 6:** Vacancies: Any vacancy in office due to death, resignation, removal, or inability to serve shall be filled by special elections. However, should a vacancy occur in the office of President, the Vice President shall immediately assume the office.

**Section 7:** Offices not renewing their terms must make it known to the Executive Board in writing no later than December.

**ARTICLE VIII: VOTING PRIVILEGES**

**Section 1:** General members shall have the right to vote on all issues before the PTO.

**Section 2:** All general members shall be designated as "voting" members. Voting members shall have the right to vote on all issues before the organization, to elect officers, and to hold office.

**Section 3:** All members will have one vote and must be present to vote.

**Section 4:** The Executive Board agrees that the Waikiki School Principal will have final say (veto power) regarding major or minor decisions.

## **ARTICLE IX: FINANCES**

**Section 1:** A budget of anticipated revenue and expenses for the year shall be presented to the organization by the September meeting of the school year. This budget shall be used as a guide for the activities taking place during the year. Any substantial deviation from the budget must be approved in advance by the organization.

**Section 2:** The treasurer shall keep accurate records of any disbursements, income, and bank account information. All deposits and/or disbursements shall be made within a maximum of thirty (30) days from the receipt of the funds and/or orders of payments.

**Section 3:** The treasurer shall present a financial report as needed at General Meetings and shall prepare a final report at the close of the school year.

**Section 4:** A designated fund is money put aside for a specific purpose. Any money put into a designated fund shall only be used for that purpose. It cannot be used for other activities.

**Section 5:** Sub-accounts may be established to keep monies apart for separate goals.

**Section 6:** No loans shall be made by the PTO to its officers and members.

**Section 7:** Upon agreement of the voting members, any officer or other designated member may enter into contracts or agreements for the purchase of materials or services on behalf of the PTO.

**Section 8:** Two authorized signatures shall be required on each check. The treasurer is authorized to sign checks, and other authorized check signers shall be designated and approved by the voting members, and shall not be employees of the Department of Education in any capacity;

**Section 9:** No reimbursements will be made without valid receipts.

**Section 10:** No part of the net earnings of the PTO shall inure to the benefit of, or be distributable to, its members, officers or other private persons, except that the organization shall be authorized and empowered to pay reasonable compensation for the services rendered.

**Section 11:** No substantial part of the activities of the PTO shall be the carrying on of propaganda, or otherwise attempting to influence legislation, and the PTO shall not participate in, or intervene in (including the publishing or distribution of statements) any political on behalf of any candidate for public office.

**Section 12:** The fiscal year shall coordinate with the school year, from July 1 through June 30 of the following calendar year.

**Section 13:** Dissolution: Upon the dissolution of the organization, assets shall be distributed 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 federal tax code, for the benefit of Waikiki School.

## **ARTICLE X: NOMINATION AND ELECTION**

**Section 1:** Nominations shall be called for in the April Parent Bulletin.

**Section 2:** A slate of persons running for offices shall be presented at the voting meeting in May. Further nominations may be received from the floor. If all slated to run for office have accepted the nomination then the elections shall proceed by written ballot.

**Section 3:** Officers shall be elected at the May meeting of the PTO by the voting members present.

**Section 4:** There will be a written ballot vote if there is more than one candidate for any office. If there is only one candidate for any office, by motion from the floor, the election for that office may be by a show of hands. All candidates will leave the room and wait outside so that the voting may take place.

**Section 5:** A majority of the votes cast by the voting members shall be necessary for election. Should no person receive a majority of the votes cast, a run-off between the two (2) who received the largest number of votes shall be immediately held.

**Section 6:** Elections occurring in even numbered years (i.e. 00) shall be for the offices of vice president and treasurer. Elections occurring in an odd numbered years (i.e. 01) shall be for the offices of president and secretary. The PTO may or may not hold elections yearly (See Article VII: Terms of Service).

#### **ARTICLE XI: AMENDMENT OF BYLAWS**

**Section 1:** These bylaws may be amended at any General Membership Meeting of the **Waikiki School PTO** by a two-thirds majority vote of the voting members in attendance. Notice shall be given at least seven (7) days prior to the meeting.

**Section 2:** These bylaws may be reviewed and/or revised by the Executive Board as necessary to meet changing conditions in the school and community and brought to a vote of the General Membership.

#### **ADDENDUM 1: CONFLICT OF INTEREST POLICY**

The attached Conflict of Interest Policy (8/16/2011) is an integral part of these bylaws and is expected to be adhered to by all **Waikiki School PTO** members.

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**These Bylaws were adopted by the Executive Board Officers of the Waikiki School PTO by a majority vote during a special meeting on February 10, 2015, and shall take effect immediately.**