

# **BY-LAWS OF THE Montvale Parent Teachers Organization**

Revised March 6, 2019

Approved by the members on June 14, 2019

## **ARTICLE I. NAME**

The organization is known as the Montvale Parent Teachers Organization (PTO).

## **ARTICLE II. CORPORATION**

The PTO is a non-profit corporation under the laws of the state of New Jersey.

## **ARTICLE III. PURPOSE**

The PTO's mission is to foster communication between home and school, and to provide, in cooperation with the School Administration and Montvale Board of Education (BOE), programs, services, and equipment that enhance overall education experience, promote scholastic achievement, and encourage good citizenship within the Montvale public schools, grades pre-K through 8, hereinafter referred to as "Montvale schools."

## **ARTICLE IV. STANDING RULES**

Standing rules may be approved by the Executive Board, and the Secretary will keep a record of the standing rules with the by-laws for reference.

## **ARTICLE V. MEMBERSHIP AND DUES**

- Section 1. Any parent/guardian of a student in the Montvale schools and any faculty member in the Montvale schools may be a PTO member.
- Section 2. The Executive Board will establish dues each year. A member must have paid dues by the September meeting or at least 30 calendar days before any subsequent meeting to be considered a member in good standing with voting rights.
- Section 3. The membership year is from August 1 through July 31. The PTO will solicit enrollment of members at the start of each school year. A person may be admitted to membership at any time.
- Section 4. Members in good standing may participate in discussions and vote at general meetings, and are eligible to serve in any of the PTO's elected positions. The PTO Executive Board members have final binding decision-making authority on any and all public matters presented to the PTO.

## **ARTICLE VI. OFFICERS and ELECTIONS**

- Section 1. Officers: The officers are Co-Presidents, Vice President - Fieldstone Middle School (FMS), Vice President - Memorial Elementary School (MES), Treasurer, and Secretary.

*President:* The Presidents' general responsibilities include but are not limited to; presiding over general public membership meetings as well as Executive Board Meetings; serving as the primary contact for the organization, representing the organization at meetings outside the organization, serving as an ex officio member of all committees except the Nominating

Committee, and coordinating the work of all the officers and committees so that the purpose of the organization is served. There will be two Co-Presidents at all times, in the event that there is no qualified or willing member to accept this office then one President may serve this organization but only upon Executive Board vote. Each Co-President will preferably serve as a main representative for one school, either Fieldstone Middle School (FMS) or Memorial Elementary School (MES). The President casts the deciding vote in the event of a tie. If there are Co-Presidents, the Senior Co-President will have the deciding vote in the event of a tie.

*Vice President - FMS and Vice President - MES:* The Vice Presidents assist the Co-Presidents, carry out the President's duties in his or her absence or inability, and serve as the primary contact for each School Principal and for class parents and committee chairs at their respective schools.

*Secretary:* The Secretary keeps all records of the organization, takes and records minutes, prepares the agenda, handles correspondence, and sends notices of meetings to the membership. The Secretary also keeps a copy of the minutes book, by-laws, rules, membership list, and any other necessary supplies, and brings them to meetings.

*Treasurer:* The Treasurer receives all funds of the organization as well as 3 R's Day account, keeps an accurate record of receipts and expenditures, and pays out funds in accordance with the approval of the Executive Board. The Treasurer will present a financial statement at every meeting and at other times of the year when requested by the Executive Board, and make a full report at the end of the current school year. The Treasurer will provide records each fall to the PTO's accountant, who will prepare the organization's taxes and a financial report. (See also Article X. Finances.)

Section 2. Faculty Liaison: An effort will be made to recruit a faculty member to serve as Faculty Liaison to the PTO. The Faculty Liaison sits with the Executive Board at all general meetings of the organization, assists the Executive Board during and between meetings in an advisory capacity, and facilitates communication between the Executive Board and faculty.

Section 3. Nominations and Elections.

- A. The President of the preceding year will appoint a Chairperson of Nominations and announce the chairperson at any meeting of the current school year. In the event that the President of the preceding year is unavailable, a former President or Vice President of this organization may serve as Chairperson of Nominations. The chairperson will select two members of the current Executive Board (excluding the current President), one additional PTO member, and one faculty member. The Nominating Committee of five will make nominations for officers and select the slate of officers.
- B. Members interested in seeking an office must notify the Chairperson of Nominations Committee during the following month.
- C. The chairperson will present the official slate at the April meeting. Additional nominations may be made from the floor providing the consent of each candidate has been obtained before the name is placed in nomination. If there are no nominations made from the floor at the April meeting, the Secretary is empowered to cast the elective ballot for all nominees of the official slate at that meeting. If nominations are made at the April

meeting, a vote by closed ballot will be taken at the May meeting. A majority vote of members present shall constitute election.

- D. Officers are installed at the last meeting of the school year. The duties of officers will be assumed by July 1.

- Section 4. Eligibility. Members are eligible for office if they are members in good standing at least 14 calendar days before the Nominating Committee presents its slate.
- Section 5. Terms of Office. Officers will serve for a term of two years and remain in office until their successors are elected and assume office. An officer may be nominated for the same office for a second consecutive term if first voted on by the Executive Board and then voted on by the general membership; however, this does not preclude other interested members from being nominated for the office. No officer may hold the same office for more than two consecutive terms. Each officer will hold only one office at a time.
- Section 6. Vacancies. A vacancy on the Executive Board during an unexpired term will be filled on the recommendation of the remaining PTO Executive Board members, and will be for the remainder of the unexpired term.
- Section 7. Removal from Office. Officers can be removed from office with or without cause by a two-thirds vote of those present at a regular meeting where previous notice has been given.

## **ARTICLE VII. EXECUTIVE BOARD**

- Section 1. Members. The officers of the PTO constitute the Executive Board.
- Section 2. The duties of the Executive Board are:
  - A. To transact necessary PTO business between regular meetings.
  - B. To create standing and ad-hoc committees, and approve the committee work plans.
  - C. To report on and make recommendations for PTO activities at the regular meetings.
  - D. To appoint an independent auditor at least two weeks prior to the end of the school year to audit the Treasurer's accounts.
  - E. To approve routine bills.
  - F. To prepare and submit a budget to the membership for approval at the first meeting of the school year.
  - G. To solicit recommendations from the administration and membership for gifts to the schools, and approve PTO funding for such.
  - H. To vote on issues or items that may arise during the school year, the Senior Co-President will have the deciding vote in the event of a tie.
- Section 3. Executive Board Meetings: The Executive Board will meet periodically, as needed, to perform its duties.
  - A. A simple majority shall constitute a quorum.
  - B. Special meetings of the Executive Board may be called by the President or by a simple majority of the members of the Executive Board.

## **ARTICLE VIII. MEETINGS**

- Section 1. Regular Meetings. There will be at least six general meetings per year. The time and place of general meetings will be determined by the Executive Board, and posted on the PTO website at least one week prior to the meeting. The Executive Board will also send out notifications by way of email and through the school notifying membership of all scheduled public meetings. The purpose of these meetings is to keep the general membership informed regarding the organization's activities as well as how the organization is earmarking monies raised.
- Section 2. Special Meetings. Special meetings may be called by the President, any two members of the Executive Board, or five general members submitting a written request to the Secretary. Previous notice of the special meeting shall be sent to the members at least 10 days prior to the meeting, by PTO email blast and by posting on the PTO website.
- Section 3. Quorum. The quorum shall be 10 PTO members.
- Section 4. The Executive Board shall have at least three private meetings per year.

## **ARTICLE IX. COMMITTEES**

- Section 1. Membership. Committees may consist of members and Executive Board members, with the President acting as an ex officio member of all committees except the Nominating Committee.
- Section 2. Standing Committees. Committees for the following purposes will be held by the organization: Hospitality, Membership/Directory, Publicity, Curriculum Enhancement, Socials, Community Events, Nominating, By-Laws Review, Fundraising Events, and Scholarships/Awards.
- Section 3. Additional Committees. The Executive Board may appoint additional committees as needed.

## **ARTICLE X. FINANCES**

- Section 1. A tentative budget will be drafted in the fall for each school year and approved by a majority vote of the members present.
- Section 2. The Treasurer will keep accurate records of any disbursements, income, and bank account information.
- Section 3. The Executive Board will approve all expenses of the organization.
- Section 4. The Treasurer will pay out funds in accordance with the approved budget or the approval of the Executive Board. Authorized check signers will be the Senior Co-President and Treasurer. Two Executive Board member approvals will be required for payments over \$5,000, or for any unbudgeted expense over \$500.
- Section 5. The Nemeroff Art Award fund will be kept separate from the PTO general funds.
- Section 6. The Treasurer will prepare a financial statement at the end of the fiscal year, and any PTO member may request a copy of the financial statement from the Treasurer if he/she would like to review it.
- Section 7. If the PTO dissolves, remaining funds will be used to pay any outstanding bills and the remainder will be turned over to the Montvale BOE.
- Section 8. The fiscal year that begins on July 1 and ends on June 30 will coordinate with the school year.

## **ARTICLE XI. SCHOLARSHIPS/AWARDS**

- Section 1. The scholarships/awards chairperson will be appointed by the President.
- Section 2. Ethel Stalter Scholarship. The funds for this scholarship come from the PTO general account. The PTO will publicize scholarship availability and eligibility requirements. The chairperson will assemble a committee to review applications and select a winner. The committee will be comprised of the following: the chairperson, PTO President, the Superintendent, the Principal(s), a faculty representative, and a member of the Parent Faculty Association Board of Pascack Hills High School. The award will be given in June.
- Section 3. Suzanne Nemeroff Art Award (c. 1998). This award is funded by money set aside by the PTO for this purpose per Article X. Section 5. The PTO will publicize its availability and eligibility requirements. The chairperson will assemble a committee to review applications and select a winner. The committee will be comprised of the following: the chairperson, the Superintendent and/or Principal of FMS, an art teacher from Montvale schools, and any others as invited by the chairperson. The award will be given in June. The program will end if either of the following occur: the fund previously set aside by the PTO for this purpose is depleted, or there are fewer than 3 applicants for more than 2 consecutive years, in which case, the PTO Board, with the approval of the members, will disburse the remaining funds for the benefit of the schools in a manner consistent with the spirit of the in memoriam award.

## **ARTICLE XII. PARLIAMENTARY AUTHORITY**

Robert's Rules of Order will govern meetings when they are not in conflict with the organization's by-laws.

## **ARTICLE XIII. DISSOLUTION**

The PTO may be dissolved with previous notice (14 calendar days) and a two-thirds vote of those present at the meeting.

## **ARTICLE XIV. AMENDMENTS and PERIODIC REVIEW**

- Section 1. These by-laws may be amended at any regular or special meeting, providing that previous notice to the membership was given in writing at least 14 days in advance. Notice may be given by e-mail. Amendments will be approved by a two-thirds vote of those present, assuming a quorum.
- Section 2. These by-laws may be reviewed by the PTO Executive Board every 2 years from the last Executive Board voting date or as needed.

## **ARTICLE XV. CONFLICT of INTEREST POLICY**

- Section 1. Purpose. The purpose of the conflict of interest policy is to protect the PTO's interest when the PTO is considering any transaction or arrangement that might benefit the private interest of an officer.
- Section 2. Definition of Interested Party. An interested party is an officer who stands to benefit personally (or whose family may benefit personally), either financially or non-financially, from the transaction or arrangement under consideration.
- Section 3. Nature of Conflict of Interest. The PTO is an all-volunteer organization and Executive Board members receive no payments for their service to the organization. However, conflicts of

interest that are financial or non-financial may arise. The following are illustrative examples, but are not an all-inclusive list of possible conflict of interest situations.

- A. Example of Possible Financial Conflict of Interest: The PTO is considering a business transaction (such as selecting a service vendor) where an interested party or an interested party's relative has a financial stake in the vendor being considered.
- B. Example of Possible Non-Financial Conflict of Interest: The PTO is choosing a scholarship winner and the interested party's child is among the applicants.

Section 4. Conflicts of Interest Related to PTO Gifts to School. An officer will not be considered to have a potential conflict of interest in any Executive Board decisions regarding PTO gifts to the school, as long as such gifts are for the benefit of a group of school children (such as a class or grade level), do not exclusively/solely benefit the child(ren) of the officer, and are approved by the school administration.

Section 5. Procedures.

- A. Duty To Disclose. An interested party must disclose the nature of the potential conflict to the Executive Board.
- B. Determining Whether a Conflict of Interest Exists. The remaining Executive Board (with the interested party absent) will decide whether a conflict of interest exists.
  - i. If the Executive Board decides no conflict of interest exists, then the interested party may participate in any further deliberations and voting on the issue.
  - ii. If the Executive Board decides a conflict exists, then the interested party will be excluded from any further deliberations and voting on the issue.
  - iii. The Executive Board will document in the meeting record the name of the interested party who disclosed a potential conflict of interest, the nature of the conflict, the Executive Board's decision regarding the conflict of interest, and why the decision reached was in the best interest of the PTO.

Section 6. Annual Statements. Each new officer will sign a Conflict of Interest Statement at the start of his/her term confirming that s/he has read and understood the policy; agrees to comply with the policy; and understands that the organization is charitable and that in order to maintain its federal tax-exempt status it must engage primarily in activities which accomplish one or more of its tax-exempt purposes.

## STANDING RULES

Montvale Parent Teacher Organization

Revised March 6, 2019

1. PTO programs will support the educational experience of students in the Montvale School System, and be developed through committees, projects, study groups, or communication with school administration. As the PTO raises money for the Montvale School System, refunds for purchases of fundraisers supporting the PTO will only be considered and allowed if the majority of the PTO Executive Board votes in favor. PTO may donate gratuitous funds to help support non-fundraiser school events. School events may fundraise on their own to raise additional funds, but PTO will not earmark money for specific events.
2. The PTO is non-commercial and non-sectarian. The PTO is also non-partisan except in matters pertaining to the school budget and other matters related to educational funding. Upon endorsement of the annual school budget by the Executive Board as presented by the Board of Education, the PTO may use reasonable means to ensure that the school budget is passed annually. The PTO officers and members will not use the PTO for personal, political, or material gain.
3. The PTO may encourage qualified personnel to seek election for a seat on the Board of Education.
4. The PTO is affiliated with the Montvale Educational Foundation and will provide support for this sister organization.
5. The PTO may cooperate with an organization that is specifically active in child welfare or in any other manner deemed appropriate to serve a child's welfare in Montvale schools. The PTO will not associate with any other types of organizations.
6. No commitments, which bind the members, are to be made without previous notice and a majority vote of the PTO Executive Board.
7. All PTO activities taking place in the school, on school grounds, or involving the students, must have the prior approval of the Superintendent or School Principal. PTO events requiring use of school buildings must have a School Building Use form approved by the school business office. Any PTO flyers or other PTO written material to be distributed on school grounds must have the prior approval of the Superintendent.
8. To minimize conflicts or the perception of an unfair advantage, it is recommended that PTO Executive Board members not serve as class parents during their tenure unless there are not other parent volunteers willing to serve in this position, and they have a two thirds approval from PTO Executive Board members.
9. If there is a strong need for certain educational supplies (i.e. bookcases) then faculty may submit their wish lists for classroom supplies to their respective School Principal, who, in turn, could approach the Executive Board once a year to facilitate these teacher requests for review and approval for the use of possible PTO funds.
10. The PTO Officers will maintain the organization's website at [www.montvalepto.com](http://www.montvalepto.com) and may grant access to committee chairs for specific website functions related to the committee work.

## Montvale PTO Conflict of Interest Statement

I, / \_\_\_\_\_, \_\_\_\_\_  
Print name Print position

have read and understood the Montvale PTO's Conflict of Interest Policy, contained in the Montvale PTO by-laws. I agree to comply with the policy, and I understand that the organization is charitable and that in order to maintain its federal tax-exempt status it must engage primarily in activities that accomplish one or more of its tax-exempt purposes.

\_\_\_\_\_/\_\_\_\_\_  
Signature Date

Each new officer will complete this form at the start of his/her term.