

# **MERRIMACK MIDDLE SCHOOL PTG BY-LAWS**

## **(October 2011 REV)**

### **Article I: NAME**

The name of this organization shall be known as the Merrimack Middle School Parent-Teachers Group of Merrimack, NH, hereafter referred to as the “MMS PTG”.

### **Article II: ARTICLES of ORGANIZATION**

The entity exists as an organization of members. Its “Articles of Organization” comprise these bylaws, as from time to time amended, and its articles of organization, if any.

### **Article III: PURPOSES**

#### **Section 1:**

The Objectives of the MMS PTG are:

- a. To promote the best possible education for our students.
- b. To promote curriculum enrichment.
- c. To support extracurricular activities.
- d. To support modifications to the school building to enhance function and safety.
- e. To promote the students as active, contributing members of the Merrimack community.
- f. To foster a positive relationship and promote communication among the town officials, school board, teachers, parents, student body, and the Merrimack Community.
- g. Work with the appointed school Volunteer Coordinator to ensure that programs are in place to better serve the students.

#### **Section 2:**

The Objectives of this organization are supported through education programs directed toward parents, teachers and the general public. They are developed through conferences, committees, projects and programs and are governed and qualified by the basic policies set forth in Article IV.

### **Article IV: BASIC POLICIES**

The following are basic policies of this organization.

- a. The organization shall be noncommercial, nonsectarian and nonpartisan.
- b. The name of the organization or the names of any members in their official capacities shall not be used to endorse or promote a commercial concern or in connection with any partisan interest for any purpose not appropriately related to promotion of the Objectives of the organization.
- c. The organization shall not directly or indirectly participate or intervene (in any way, including the publication or distribution of information) in any political campaign on behalf of or in opposition to any candidate for public office.
- d. The organization may cooperate with other organizations and agencies concerned with student welfare, but persons representing the organization in such matters shall make no commitments that bind the organization.
- e. Upon the dissolution of this organization, after paying or adequately providing for the debt and obligations of the organization, the remaining assets shall be distributed to one or more designated nonprofit fund(s), or organization(s) which have established their tax exempt status under section 501 (C)(3) of the Internal revenue Code.

## **ARTICLE V: MEMBERSHIP QUALIFICATION**

- a. Parents or guardians with a child or children attending Merrimack Middle School.
- b. Alumni parents of children, who have attended Merrimack Middle School, regardless of grade, shall automatically be granted membership in the organization.
- c. Any Merrimack resident willing to volunteer their time will be granted membership.
- d. The school faculty (teachers) and staff (office assistants, team parents, etc.) shall automatically be granted membership in the organization.
- e. Membership in the MMS PTG shall be made available without regard to race, gender, color, creed, religion or national origin.

## **ARTICLE VI: DUES**

There are no dues or fees collected in order to be granted membership within this organization. The treasurer may accept donations from members or outside sources at the discretion of the Executive Board. Refer to ARTICLE VII section 2A.

## **ARTICLE VII: OFFICERS AND THEIR ELECTION/APPOINTMENT**

### **Section 1:**

- a. Each Officer shall be a member of the MMS PTG.
- b. The President, Vice President and Secretary positions can be co-chaired.

### **Section 2:**

- a. The officers of this organization shall consist of a President a Vice President, a Secretary, and a Treasurer.
- b. Officers shall be elected by ballot at the annual meeting in May. However, if there is but one nominee for any office, election for that office may be by voice. Voting shall commence at the beginning of the meeting and conclude at the close of the meeting. Results will be announced after elected positions have been accepted.
- c. Officers shall assume their official duties following the close of the meeting in June, except President and Treasurer, who will remain in office until July 31, allowing for a smooth transition between Executive Boards. No person should serve more than two (2) consecutive terms in any one office with the exception of filling in for an incomplete term or an unopposed position.
- d. All officers shall serve without compensation.

### **Section 3:**

#### **Nominating Committee**

- a. There shall be a nominating committee composed of three MMS PTG members, all of whom shall be selected by the Executive Board.
- b. Nomination forms shall be distributed to parents via students, electronically or available for pickup at the school beginning February 1 until March 15th.
- c. The nominating committee shall report the names of the candidate(s) for each office to be filled at the April meeting. The nominating committee must obtain the consent of each candidate before his/her name is placed on the ballot.
- d. Following the report of the nominating committee, an opportunity shall be given for nominations from the floor for only those positions for which nominations have not been received. Only those who have consented to serve by election shall be eligible for nomination from the floor.

- e. Chairs to any standing committee shall be elected by the membership at the annual meeting and shall assume their official duties immediately.

#### **Section 4:**

##### **Vacancies**

A vacancy occurring in any office shall be filled for the remainder of the term by a person elected by a majority vote of the Executive Board. The Executive Board will designate the responsibility of the vacant office.

### **ARTICLE VIII: DUTIES OF OFFICERS**

#### **Section 1:**

##### **The President shall:**

- a. Preside at all meetings of the organization and of the Executive Board.
- b. Establish an agenda prior to meetings.
- c. Perform such other duties as may be prescribed in these bylaws or assigned by the organization.
- d. Be a member ex officio of all committees except the nominating committee.
- e. Coordinate the work of the officers and committees of the organization in order that the objectives are promoted.
- f. Meet with representatives of the elected board and School Administration prior to the first board meeting of a new school year to determine tentative dates for programming and fundraising.
- g. Have signing authorization on the check book.

##### **The Vice President shall:**

- a. Act as aide to the President.
- b. Update Parents E-mail notification system (PENS) and the website information for the PTG
- c. Provide necessary correspondence.
- d. Perform other delegated duties as assigned.

##### **The Secretary shall:**

- a. Record the minutes of meetings of the organization and provide a copy of the minutes to all Executive Board members within 10 days of the meeting.
- b. File the most recent voted-on minutes in the school library prior to the next meeting.
- c. Maintain a record of past meetings for a minimum of two (2) calendar years.
- d. Have a current copy of the Bylaws.
- e. Perform other delegated duties as assigned.

##### **The Treasurer shall:**

- a. Maintain records of all financial activities of the organization.
- b. File the previous year's record in a secure location at the Merrimack Middle School.
- c. Make disbursements as authorized by the Executive Board, or organization in accordance with the budget adopted by the organization.

- d. Deposit all monies received for the MMS PTG in a timely fashion but no later than 30days.
- e. Present a financial report at every meeting of the organization and make a full report and an estimated budget at the annual meeting.
- f. Make every effort to collect on insufficient funds checks.
- g. Have records available for an audit by an auditing committee selected by the Executive Board.
- h. File Form 990 with IRS by November 15th (for the previous school year ending in June).
- i. File appropriate forms to the State of New Hampshire Attorney General's office. See Amendments for list of forms.
- j. Perform other delegated duties as assigned.

## **Section 2:**

All officers shall perform the duties outlined in these Bylaws. Upon the expiration of a term of office or in the case of a resignation, each vacating officer shall turn over to the Executive Board without delay all records, books, funds, and other materials pertaining to the office.

## **ARTICLE IX: EXECUTIVE BOARD**

### **Section 1:**

#### **Executive Board**

- a. The Executive Board shall consist of the officers of the organization, the principal, assistant principal, volunteer coordinator and at least one teacher representative.
- b. The Executive Board will have a minimum of 5 members (that are not related by blood or marriage) at all times to operate effectively. If the executive board does not have at least 5 members, the board must temporarily suspend for a period of up to 3 months.
- c. If the Executive Board still has vacancies after the 3 month suspension, the PTG must dissolve.

### **Section 2:**

#### **Duties of the Executive Board shall:**

- a. Conduct necessary business in the interest of parents, students and the school.
- b. Create standing and special committees when necessary.
- c. Oversee the work of the standing committees.
- d. Submit recommended funding requests to the organization.
- e. Vote on submitted recommendations.
- f. Prepare a calendar of events prior to the new school year.

### **Section 3:**

A simple majority of the Executive Board shall constitute a quorum. If a simple majority of Executive Board Members are not present then voting must be held over to the next meeting or through a special meeting of the Executive Board.

## **ARTICLE X: MEETINGS**

- a. Meetings of the organization shall be held monthly determined by the Board at the end of the prior school year. Any changes shall be communicated with no less than 3 days notification.
- b. Special meetings of the organization may be called by the president or by a majority of the Executive Board, Seven (7) days

notice having been given.

- c. The annual meeting shall be in May; with voting on proposed fundraising and final funding requests at the June meeting.
- d. Members present shall be allowed to vote on any article, budget line item, or funding request that is first approved by the Executive Board for a general vote at a future meeting.
- e. All funding requests that are over \$200.00 must be requested at least 7 days prior to the next meeting and presented to the Board at the next meeting by the requesting party or designee. The requesting party or designee will be informed of the Board's decision within three (3) days of the next meeting or after a special meeting is coordinated by the Board. If the funding request is for a new project, the requesting party or designee must attend the meeting to present the project to the Board.

#### **ARTICLE XI: STANDING AND SPECIAL COMMITTEES**

- a. The Executive Board may create such standing committees, as it may deem necessary, to promote the objectives and to carry on the work of the organization.
- b. Special Committees may be formed and their members selected by the Executive Board at any scheduled PTG meeting. Since a special committee is created and appointed for a special purpose, it will automatically be dissolved upon completion of work appointed to the committee or at the request of the Executive Board.
- c. Committee chairs must communicate all events, purchases and expenditures with the Executive Board PRIOR to an event so as to promote continuity of PTG Purposes (Article III) and Basic Policies (Article IV).

#### **ARTICLE XII: FISCAL YEAR**

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

#### **ARTICLE XIII: CONFLICT OF INTEREST**

Each person, prior to taking his position on the Board, and all present Board members shall submit in writing to the Executive Board a list of all businesses or other organizations of which he/she is an officer, director, trustee, member, owner (either as a sole proprietor or partner), shareholder, employee, independent contractor or legal affiliation with which the Corporation has, or might reasonably in the future enter into, a relationship or transactions in which the person would have conflicting interests. The Executive Board shall become familiar with the statements of all Executive Board members in order to guide his/her conduct should a conflict arise.

#### **ARTICLE XIV: PARLIMENTARY AUTHORITY**

Robert's Rules of Order Newly Revised shall govern the organization in all cases in which they are applicable and in which they are not in conflict with the Bylaws.

#### **ARTICLE XV: DISSOLUTION/SUSPENSION OF MMS PTG**

##### **Section 1:**

- 1. To temporarily dissolve or suspend the operation of the PTG:
  - a. All outstanding debts must be paid.
  - b. The association's bank account(s) must be frozen after all debts are paid. Before accounts can be unfrozen a full Executive Board must in place and active.
  - c. An outgoing Executive Board member or an administrative figure must have legal signature rights of the association's bank account(s).

**Section 2:**

2. To permanently dissolve the MMS PTG, the following must be true:

- a. See ARTICLE IV, E

**ARTICLE XVI: AMENDMENTS**

- a. These Bylaws may be amended at any regular meeting of the organization by a simple majority vote of the members present and voting.
- b. Bylaws do not need to have an amendment voted on if they are required by the State of New Hampshire.
- c. A committee may be appointed to submit a revised set of Bylaws as a substitute for the existing Bylaws by a simple majority vote at a meeting of the organization, or by two-thirds vote of the Executive Board. The requirements of adoption of a revised set of Bylaws shall be the same as in the case of an amendment.
- d. A Bylaw committee must be formed every year (beginning in 2006) to be sure the Bylaws are following the appropriate laws for the State of New Hampshire and the IRS code 501c(3).