

BYLAWS CHERRY CREEK SCHOOL DISTRICT PARENT TEACHER COMMUNITY COUNCIL, INC. CHERRY HILLS VILLAGE ELEMENTARY SCHOOL PTCO - AS ADOPTED MARCH 1995, AMENDED FEBRUARY 1996 AMENDED OCTOBER 1999, AMENDED MARCH 2003, AMENDED MARCH, 2004, AMENDED MAY 2008, AMENDED FEBRUARY 2009, AMENDED MAY 2009, AMENDED NOVEMBER 2009, AMENDED FEBRUARY 2011, AMENDED MAY 2011, AMENDED OCTOBER 2011, AMENDED APRIL 13, 2016, AMENDED AUGUST 31, 2017

ARTICLE I

NAME

The name of this organization shall be: Cherry Creek School District Parent Teacher Community Council, Inc., Cherry Hills Village Elementary School Parent Teacher Community Organization. This organization also may be known as: Cherry Hills Village PTCO, CHVE PTCO or PTCO.

ARTICLE II

PURPOSE, ASSOCIATION, OPERATING PRINCIPLES & FINANCIAL POLICIES

Section 1: Purpose

(A) The purpose of this PTCO shall be to promote the goal of a quality education and support for the general welfare and safety of all students at Cherry Hills Village Elementary School by working with the faculty and staff, the Cherry Creek School District community students and their parents.

(B) This PTCO is a subordinate organization of and is organized under the authority granted by the Cherry Creek School District Parent Teacher Community Council, Inc., otherwise known as CCSD Parents' Council.

(C) This PTCO is organized solely for charitable, scientific, literary or educational purposes as defined in Section 501(c) (3) of the Internal Revenue Code. This PTCO is not a private foundation.

Section 2: Association

(A) This organization is structured under the authority of the Cherry Creek School District Parent Teacher Community Council, Inc (CCSD Parents' Council) and is chartered as a subordinate organization in accordance with the rules prescribed by the CCSD Parents' Council.

(B) An annual Affiliation Letter shall be signed by the President of the PTO/PTCO to the CCSD Parents' Council President affirming their continuation as a subordinate organization under the CCSD Parents' Council Tax Exempt 501(c)(3) status with the Internal Revenue Service. A copy of the document with the original or facsimile signature shall be provided the CCSD Parents' Council. (A signature received via an electronic document is deemed acceptable.)

1. The membership fee required by the CCSD Parents' Council shall be an obligation CHVE PTCO.

(C) A copy of the bylaws, including certain provisions required by the CCSD Parents' Council, shall be forwarded to the CCSD Parents' Council Treasurer upon adoption. Further, when amendments are made to the Bylaws, a copy of the amended Bylaws shall be submitted to the CCSD Parents' Council Treasurer.

(D) Copies of all annually required financial filings to the Internal Revenue Service and the Secretary of State (State of Colorado) shall be submitted to the Treasurer of the CCSD Parents' Council within 30 days of filing.

(E) Permanent books and records shall be maintained with sufficient detail to adequately reflect all sources of income and nature of expenditures. Such books and records will be made available for inspection, at reasonable times, upon request of an authorized representative of the CCSD Parents' Council.

(F) The President (or Co-Presidents) of this organization shall be a member/members of the CCSD Parents' Council. If the President(s) are unable to attend regular Parents' Council meetings, it is recommended that one or more Parents' Council representatives be assigned to attend and report during regular PTO meetings.

(G) As a subordinate organization of the CCSD Parents' Council, this group is obligated to operate in accordance with the prescribed rules of the CCSD Parents' Council and the Operating Principles in Article VII of these Bylaws. Failure to comply with these provisions could result in withdrawal by the CCSD Parents' Council of the charter of this organization.

Section 3: Operating Principles

(A) The fiscal year of this PTCO shall begin on July 1 and shall end on June 30 of each calendar year.

(B) This organization shall not engage in, or endorse, any commercial activities. This does not, however, prevent the organization from carrying on fundraising activities related to its purpose. Nor does it prevent a commercial enterprise from sponsoring an activity related to the organization's purpose.

(C) TITLE 26, SECTION 4911 of the IRS Code

A Parent Teacher 501(c)(3) Tax-Exempt Organization is allowed:

- To participate in political activities and supporting or influencing legislation, such as a school budget issue or a referendum.

- To participate in activities to influence legislation that may be considered as directly connected to the "survival" of the organization, such as a referendum supporting education.

- To have a speaker come and present information for or against proposed legislation.

A Parent Teacher 501(c)(3) Tax-Exempt Organization is not allowed:

- To expend monies to have a candidate running for election as a speaker at a meeting, or to endorse a political candidate.
- To expend a “substantial” amount of their funds on activities to influence legislation. A

conservative rule of thumb is that the PTCO spend no more than five percent (5%) of its annual expenditures in support of election activities.

(D) No part of the net earnings of the organization shall inure to the benefit of its members, directors, officers or other private persons. The organization may carry on only those activities permitted under the Internal Revenue Code, Section 501(c) (3).

(E) Upon the dissolution of this organization and after paying for the debts of the organization,, the remaining assets' shall be distributed to one or more non-profit organizations, which are tax-exempt under section 501 (c) (3) of the Internal Revenue Code.

Section 4: Financial Policies

(A) Preservation of principal shall be the primary investment criteria, with emphasis on rate structure secondary.

(B) All investments shall be insured by the FDIC.

(C) Investment maturities will not exceed 90 days. At any time, an amount equal to at least 50% of the annual budgeted operating expenses will have a maturity date of 30 days or fewer.

(D) Investments shall be made by the Treasurer, for an aggregate amount not to exceed 50% of total cash up to \$50,000 with individual investments of up to \$50,000 each by a majority vote.

(E) Exceptions and amendments to this policy may be approved by a majority vote.

(F) Cherry Hills Village Elementary PTCO utilizes a 3rd party credit card processor to accept payments for various PTCO activities and payments. The purchaser provides the credit card information directly to the 3rd party processor and no credit card information is provided to PTCO or any parent

(G) CHVE PTCO will absorb any credit card processing fees as approved in the yearly budget.

ARTICLE III MEMBERSHIP

Section 1: General Members

General membership in this PTCO shall consist of parents or legal guardians of children enrolled in Cherry Hills Village Elementary School, and each member of the faculty, staff and administration of Cherry Hills Village Elementary School.

(A) Every General Member of this PTCO has rights equal to every other member.

(B) These rights include the right to receive notices, attend meetings, nominate, take part in discussions, vote and to exercise all the other rights and privileges granted by this PTCO to its General Members.

(C) Each General Member is entitled to one vote. Voting by proxy is not allowed.

Section 2: Associate Members

Associate membership of this PTCO shall consist of the students of Cherry Hills Village Elementary School and interested members of the community who acknowledge the purpose, association and operating principles of this PTCO, as set forth in Article II. Every Associate Member of this PTCO has rights equal to every other Associate Member. Associate Members are non-voting members of this PTCO.

Section 3: Dues

No dues shall be required for General or Associate Membership in this PTCO.

ARTICLE IV OFFICERS

Section 1: Positions

(A) The officers of this PTCO who shall constitute the Executive Board shall be: The President(s), the Vice President(s) who shall also be the President(s)-Elect, Treasurer; Assistant Treasurer, Recording Secretary, Fundraising Coordinator(s), Corresponding Secretary, Communications Officer, Assistant Communications Officer, the CHVE Principal, a Faculty Representative selected by the CHVE faculty and staff, and, at the discretion of the PTCO, a Community Representative of Cherry Hills Village who shall serve as an Associate Member.

(B) The following offices may be held by two persons in which case the officers shall be known as co-officers: President, Vice President (president-elect), Fundraising Coordinator and Assistant Treasurer.

Section 2: Qualifications

Excluding the Community Representative, officers must be General Members of this PTCO in good standing, meeting the standards set forth in Article III, Section 1. Excluding the CHVE Principal, Faculty Representative, and Community Representative, it is highly recommended that officers be drawn from individuals who have served previously on the Executive Board and/or standing committees of the PTCO.

- (A) No officer shall be eligible to serve on the Board for more than two consecutive year terms unless the third term is served as President-Elect and the fourth term is as served as President.
- (B) At the discretion of the Executive Board, a position may be extended for one year. ie: Treasurer.

(B) Section 3: Nominating Committee

The Nominating Committee shall consist of the standing members: the chair of the Nominating Committee, the President(s), and the President-Elect(s). The standing committee members shall appoint three or more ad hoc members, who should represent the different neighborhoods of the school community.

(A) Upon composition, the Nominating Committee shall serve a term concurrent with that of the calendar year (i.e., commencing in January and ending in December).

(B) Nominating Committee members shall not be barred from becoming nominees for elected offices, provided qualifications set forth in Article IV, Section 2 are met.

(C) The Nominating Committee shall compile a slate of proposed nominees, which shall include one candidate for each elected office, or two in the case of shared offices.

(D) The Nominating Committee shall publish its slate of candidates no later than thirty days prior to it being presented to the General Membership at its General Meeting.

(E) The Nominating Committee shall compile a list of proposed standing committee chairs and proposed organizational representatives as set forth in Article VI, section 1 and section 3(A) respectively.

Section 4: Manner of Election

At the Annual Meeting, the Nominating Committee shall present its slate of candidates for elected office to the General Membership. Thereafter, nominations also may be made from the floor with the nominee's consent.

(A) Election of officers shall be by ballot unless only one candidate stands for election to the office in which case the General Membership may elect that candidate by acclamation.

(B) The candidate who receives the majority of the legal vote cast for a single office shall be declared elected to that office.

Section 5: Term

Each officer shall be elected to a one-year term (with the assumption that the Vice President can be elected President in his/her second year, the Assistant Treasurer may be elected Treasurer for his/her second year, and the Assistant Communications Officer can be elected Communications Officer in his/her second year), serving a term concurrent with the fiscal year of this PTCO.

Section 6: Vacancies

If a vacancy should occur in an elected office during the school year it shall be filled by a General Member selected by the Presidents and then approved by the Executive Board. If a vacancy occurs during the summer, then the incoming President and the Nominating Chair shall appoint a General Member to fill the position.

Section 7: Duties of Officers

The duties of the officers of this PTCO are as follows:

A. PRESIDENT

The President of this PTCO shall:

1. Preside at all General Membership and Executive Board meetings;
2. Ensure that all officers perform their duties as set forth in these bylaws;
3. Appoint standing committee chairs, coordinate their duties, and appoint replacements in cases of resignations;
4. Appoint organizational representatives and appoint replacements in cases of resignations;
5. Serve as an ex-officio member of all standing committees;
6. Appoint a General Member to serve as Parliamentarian to both the Executive Board and the General Membership if the Recording Secretary, as set forth in Article IV, Section 7, Subsection (D) is not otherwise qualified;
7. Take such action as may be necessary to fulfill the provisions of all motions passed at Executive Board and General Membership meetings;
8. Assist the Treasurer with the preparation of the budget for the following fiscal year;
9. Be responsible for fulfilling provisions of these bylaws;
10. Attend Parent Council meetings, as deemed necessary;

11. To sign checks in the absence of the Treasurer;
12. To appoint an examiner to conduct the year-end financial examination of the organization's books;
13. 13. To submit an annual affiliation letter to the CCSD Parents' Council asking to continue as a subordinate organization under the 501(c)(3) tax exempt group status;
14. To attend a minimum of one CCSD Parents' Council Leadership Workshop upon election;
15. To the best of your ability, to attend District functions where individuals from your school are invited and/or honored, including the Area Director luncheon(s), Exceptional Volunteer of the Year event, Open Forum roundtable discussions and the Teacher of the Year banquet; and
16. Assume other duties and responsibilities as required by these bylaws.

B. PRESIDENT-ELECT (Vice-President) The President-Elect of this PTCO shall

1. Assume the Presidency the following school year;
2. Attend Parents' Council meetings or ensure a representative attends in his/her place;
3. Perform the duties of the President in the absence of the President;
4. Organize orientation in August; and
5. Assume other duties and responsibilities as required by these bylaws

C. TREASURER The Treasurer of this PTCO shall:

1. Register the organization as a Charitable Organization in the State of Colorado with the Secretary of State;
2. Maintain permanent books and records in sufficient detail to adequately reflect all sources of income and nature of expenditure;
3. Keep a current signature card on file at the bank in which PTCO funds are deposited, such card to bear the President's and Treasurer's signatures
4. Direct and supervise the activities of the Assistant Treasurer to the degree necessary to enhance the current operation of the treasury and to prepare the

Assistant Treasurer to stand for election as Treasurer at the next annual meeting of this PTCO;

5. Pay all bills and other just debts of this PTCO;
6. Keep an itemized account of all expenditures; reconcile bank accounts;
7. Prepare and present a monthly report at all Executive Board and General Membership meetings and an annual report at the Annual Meeting
8. Be responsible for a review of the accounts by a non-elected officer before rendering the books to the newly-elected Treasurer;
9. Prepare the budget for the following fiscal year with the assistance of the President and President Elect, such budget to be presented to the General Membership for approval at the Annual Meeting;
10. Submit a copy of the Annual Budget to the Treasurer of CCSD Parents' Council upon formal approval by the PTCO membership each year; file all annual financial statements/tax returns and schedules, regardless of income, with the Internal Revenue Service and the Colorado Secretary of State and to send copies of each filing to the Treasurer of the CCSD Parents' Council no later than 30 (thirty) days after such filing.
11. Be responsible for saving designated funds to be carried over to the next fiscal year, the amount of which shall be determined by the Executive Board prior to the expiration of its term;
12. 12. Submit financial records for examination by July 15 to Executive Board (review to be completed by August 15)
13. To attend a minimum of one CCSD Parents' Council Treasurer Workshop upon election;
14. Assume other duties and responsibilities as required by these bylaws.

D. RECORDING SECRETARY The Recording Secretary of this PTCO shall:

1. Keep the minutes of all Executive Board Meetings and shall be responsible for distribution of such minutes to all officers;
2. Keep the minutes of all General Membership meetings and shall be responsible for posting such minutes in the CHVE lobby and distributing copies at meetings of the General Membership;
3. Serve as Parliamentarian to both the Executive Board and the General Membership, if so qualified

4. To maintain and keep current a copy of the Bylaws;
5. Assume other duties and responsibilities as required by these bylaws.

E. FUNDRAISING COORDINATOR The Fundraising Coordinator of this PTCO shall:

1. Be responsible for the execution of all PTCO-sponsored fundraising activities and events;
2. Identify sources of fundraising and present plan of execution including budget to Executive Board for approval; and
3. Assume other duties and responsibilities as required by these bylaws.

F. CORRESPONDING SECRETARY The Corresponding Secretary of this PTCO shall:

1. Conduct the correspondence of this PTCO;
2. Assume other duties and responsibilities as required by these bylaws.

G. COMMUNICATIONS OFFICER The Communications Officer of this PTCO shall:

1. Promote CHVE and its students, events and programs to the community through various forms of media;
2. Promote PTCO programs and events, excluding fundraising events and activities, to the PTCO General Membership; and
3. Assume other duties and responsibilities as required by these bylaws.

H. ASSISTANT COMMUNICATIONS OFFICER

1. Assume duties and responsibilities as directed by the Communications Officer; and
2. Assume other duties and responsibilities as required by these bylaws.

I. CHVE PRINCIPAL The CHVE Principal serving as an officer of this PTCO shall:

1. Serve as a liaison between the CHVE faculty and staff and this PTCO; and
2. Assume other duties and responsibilities as required by these bylaws.

J. FACULTY REPRESENTATIVE The Faculty Representative serving as an officer of this PTCO shall:

1. Serve as the faculty and staff's representative to this PTCO; and
2. Assume other duties and responsibilities as required by these bylaws.

K. COMMUNITY REPRESENTATIVE

The Community Representative (if one is elected) serving as an officer of this PTCO shall:

1. Serve as a liaison between the PTCO and the Cherry Hills village Community; and
2. Assume other duties and responsibilities as required by these bylaws.

L. ASSISTANT TREASURER(S)

The Assistant Treasurer of this PTCO shall:

1. Perform year-end fiscal review of prior school year;
2. Collect, record, and deposit all monies from fundraising activities and events;
3. Maintain a record of all deposits and send tax receipts for donations above \$250;
4. Assume other duties and responsibilities as directed by the Treasurer of this PTCO; and
5. Assume other duties and responsibilities as required by these bylaws.

ARTICLE V

PTCO EXECUTIVE BOARD

Section 1: Membership

All officers named in Article IV, section 1 shall serve on the Executive Board of this PTCO.

(A) Officers shall attend meetings of the Executive Board and by virtue of their positions shall also attend meetings of the General Membership.

(B) Excluding the Community Representative, each member of the Executive Board is entitled to one vote. Co-chairs, as set forth in Article IV, Section 1(B), shall share one vote.

Section 2: Powers and Duties

The Executive Board is delegated the duty and power to act for the General Membership in intervals between meetings of the General Membership with the full recognition that certain powers are vested exclusively in the General Membership as defined by these bylaws, and that the General Membership may overrule the Executive Board on any matter. The Executive Board also shall:

(A) Approve and/or schedule all fundraising requests to benefit non-school groups before such requests are submitted to the General Membership for consideration.

(B) Have the authority to approve expenditures up to \$2000.00 without the consent of the General Membership but shall refer proposed expenditure exceeding \$2000.00 to the General Membership for approval; and

1. In accordance with Subsection (B), any request for PTCO funding by any group shall stand on its own merit;

(C) Review the bylaws of this PTCO in order to submit such bylaws to the General Membership for approval each school year.

(D) Have the authority to call a special session of the General Membership provided notice of such session is given in writing at least seven days prior to the date of such special session.

(E) The Executive Board shall establish a budget line item for "Money Matters" grants for each fiscal year. Requests for Money Matters grants should be submitted to the President(s) and the Treasurer on a Money Matters form together with the required documentation (invoices or other proof of cost) at least 5 business days prior to the monthly scheduled Executive Board meeting. The Executive Board will review all requests for funding and will have the discretion to deny, table or approve these requests upon a majority vote. The Executive Board will have discretion to approve Money Matters grants and disburse funds within the limitations of the established "Money Matters" budget.

(F) In the event that unspent monies are carried over from a previous fiscal year or in the event that current year fundraising exceeds the total budgeted fundraising amount for the current fiscal year, the Executive Board shall have the authority, upon a majority vote, to allocate excess funds to future budgeted or non-budgeted expenses up to a total of \$5000. If the amount to be allocated exceeds \$5000, the expenses shall be brought to the General Membership for a vote.

(G) In the event that actual expenses for the current fiscal year are less than budgeted expenses for the current fiscal year, the Executive Board shall have the authority to, upon a majority vote, re-allocate excess monies to other budget line items or non-budgeted expenses up to a total of \$5000. If the amount to be re-allocated exceeds \$5000, the re-allocation shall be brought to the General Membership for a vote.

1. In accordance with subsections (F) and (G) above, Money Matters grant requests which fall outside of budgeted monies may be funded through extra- budgetary fundraising and re-allocation of unspent monies.

ARTICLE VI COMMITTEES AND ORGANIZATIONAL REPRESENTATIVES

Section 1: Standing Committees

(A) The standing committees of this PTCO may include, but not be limited to:

Apple for a Teacher
Art Assistance
Class Dinners
Cultural Enrichment Dad's Club
Destination Imagination

Junior Great Books

Legislative Liaison

Library Volunteers

Lunchroom Volunteers

Music Volunteers

Newcomers

PIN
Teacher Support Services Dolphin Duds
Stem Fair

School Tours
All Fundraising Volunteers
Gifted and Talented
Yearbook
School Board Observer
Fitness Festival (Red Ribbon Week) The Splash/Weekly e-mail Blast Hospitality
Dolphin Connections

PTO Manager
Reach-Out
Room Parents
Edukit/Supplies

(B) The Nominating Committee shall appoint the chair of each standing committee and each chair shall serve a term concurrent to that of officers as set forth in Article IV, Section 5.

(C) The President also shall have the authority to appoint members to standing committees.

(D) Standing committee chairs shall attend meetings of the General Membership and during their terms in office may, at their option, report to the General Membership at least once prior to the Annual Meeting. (E) A standing committee may be added or deleted in any given year by the Executive Board of this PTCO.

Section 2: Ad Hoc, Special Committees

The President may establish ad hoc or special committees to perform limited functions and shall appoint the chairs and members of such committees.

Section 3: Organizational Representatives

(A) The President shall appoint representatives to the following organizations: Cherry Creek Association for Gifted and Talented: District Advisory Accountability Committee (AAC) [2 representatives with staggered terms]: Parent Council [1 representative]: Parent Information Network (PIN) [1-2 representatives]: and Cherry Creek School Board [1-2 representatives/monitors].

(B) Organizational representatives shall serve a term concurrent to that of officers as set forth in Article IV, section 5, except District AAC representatives who shall serve staggered terms.

ARTICLE VII MEETINGS

Section 1: General Membership Meetings

The General Membership shall meet a minimum of two times a year, at dates, times and locations to be determined by the President. Notice of such meetings shall be provided to the General Membership at least two weeks in advance of each

General Membership Meeting. The General Membership shall meet in special session as set forth in Article V, section 2(D).

Section 2: Executive Board Meetings

The Executive Board shall meet once monthly, at a date, time and location determined by the President.

(A) At the discretion of the President, one or more scheduled meetings of the Executive Board may be cancelled.

(B) The President may call a special session of the Executive Board provided written notice of such session is given to each member of the Executive Board prior to the date of the special session.

(C) Members of the Board shall attend all regularly scheduled meetings during the year and may not be absent from more than three meetings. Failure to comply may constitute a vacancy. Exceptions to this policy may be made by the Nominating Committee during the slating process or by the Executive Board after slating is complete.

Section 3: Annual Meeting

An Annual Meeting of the General Membership shall be held in the spring (April or May) to approve the budget for the following fiscal year; and conduct other business.

Section 4: Quorum

(A) A majority of members present at a meeting or special session of the Executive Board shall constitute a quorum. At the discretion of the President, an electronic/email vote may be conducted.

(B) The majority of general members present at a meeting or special session of the General Membership may constitute a quorum.

ARTICLE VIII INDEMNIFICATION

This PTCO shall, to the full extent permitted by Colorado law, indemnify any person who was or is a party or is threatened to be made a party to any threatened, pending or completed action, suit or proceeding, whether civil, criminal, administrative or investigative, and whether formal or informal, by reason of the fact that he or she is or was an officer of this PTCO. The right of indemnification shall inure to the benefit of heirs, executors, administrators and personal representatives of PTCO officers.

ARTICLE IX PARLIAMENTARY AUTHORITY

The current edition of "Robert's Rules of Order, Newly Revised" governs this PTCO in all parliamentary situations that are not provided for in the law, in the prescribed rules of the Cherry Creek School District Parent- Teacher-Community Council, Inc., in these bylaws, or special rules adopted by this PTCO.

ARTICLE X BYLAWS

(A) The bylaws of this PTCO may be reviewed annually by the Executive Board as provided in Article V, section 2(C).

(B) At least every three years, the President shall appoint an ad hoc committee to review and, if necessary, propose amendments to, the bylaws. This committee shall

report to the Executive Board and shall present any proposed bylaws amendments in writing.

(C) Proposed bylaws amendments approved by the Executive Board shall be presented to the General Membership for consideration. Written notice of the proposed amendment(s) shall have been given 30 (thirty) days prior to the meeting.

Section 2: Amendments to the Bylaws

(A) In addition to being proposed by the Executive Board, amendments to the bylaws also may be proposed by any General Member.

(B) Notice of any proposed amendment(s) to the bylaws must be given to General Members in writing thirty days prior to consideration at a General Membership meeting.

(C) A two-thirds vote of all members present at a meeting of the General Membership is required to amend the bylaws.

ADOPTED BY: Executive Board on: 3/13/95 General Membership on: 3/20/95

Executive Board on: 1/08/96

General Membership on: 2/21/96

Executive Board on: 9/20/99

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ADOPTED BY: General Membership on: 2/12/09 AMENDED BY: Executive Board on: 5/13/09

General Membership on: 10/99 Executive Board on: 3/26/03 Executive Board on:

3/08/04 General Membership on: 3/17/04 Executive Board on: 5/15/08 Executive Board

on: 11/11/2009 General Membership on: 11/12/2009 Executive Board on: 2/11/09

ADOPTED BY: General Board on: 5/14/09 AMENDED BY: Executive Board on: 2/9/2011

ADOPTED BY: General Board on: 5/12/2011 AMENDED BY: Executive Board on: 10/19/2011 ADOPTED BY: General Board on: 5/10/2012

AMENDED BY: Executive Board on: 1/11/2016

ADOPTED BY: General Board on: 4/13/2016 AMENDED BY: Executive Board on:
8/21/2017 ADOPTED BY: General Board on: 8/31/2017 AMENDED BY: Executive
Board on: 9/16/2019