

# **Constitution**

## **Upper Providence Elementary Home and School Association**

### **ARTICLE I NAME**

The name of this Association shall be the Upper Providence Elementary Home and School Association.

### **ARTICLE II OBJECTIVES**

#### Section 1

The objectives of the Association shall be as follows: To enhance communication between families, teachers, and administration and to provide support to the teachers through efforts within the purview of the Home and School Association.

#### Section 2

To facilitate efforts to provide adequate social, physical, and educational materials and programs; to meet and enhance the students' educational experience; and to raise and maintain community interest in the educative processes at Upper Providence Elementary School.

### **ARTICLE III POLICIES**

#### Section 1

The Association shall not seek to direct in any way the technical activities of the school or control school policies.

#### Section 2

The Association shall be noncommercial, non-profit, non-partisan, and non-sectarian in nature.

#### Section 3

The business of this Association shall be conducted on a fiscal year basis that ends June 30th of each year.

### **ARTICLE I MEMBERSHIP AND DUES**

#### Section 1

Parents or guardians whose children are attending this school, the teachers, and any other persons over eighteen years of age who are interested in the objectives for which the Association was formed may become members.

#### Section 2

There shall be no annual dues for membership in the Association. The business of the Association shall be conducted on a fiscal year basis.

## **ARTICLE II OFFICERS AND THEIR ELECTION**

### Section 1

The officers of the Association shall be President, Vice President, Secretary, and two Co-Treasurers.

### Section 2

Nominations for all officers shall be made by a nominating committee consisting of three members to be appointed by the President at the Feb. meeting. Consent of all candidates is to be secured prior to nomination. Nominees are to be presented at the April meeting, at which time nominations will be opened to the floor with an election taking place immediately after the close of nominations. (Please see Section 3)

### Section 3

The officers shall be elected at the April meeting for a two- year term with a limit of two consecutive terms. If there is more than one nominee for an office, the vote must be by ballot. When there is but one candidate for an office, election may be by voice vote. The offices of President and Secretary will be filled on the odd numbered years starting in 2005. The offices of Vice President and first Co-Treasurer will be filled on the even numbered years starting in 2004. The office of second Co-Treasurer will be filled on the odd numbered years starting in 2007. The officers shall assume their duties on July 1 after a transitional period following the April election. During the transitional period, the new officers will be able to work with their predecessors to insure a smooth change of office.

### Section 4

The Vice President shall fill a vacancy occurring in the office of President until the next meeting at which time nominations will be taken from the floor. Additional nominations from the floor and an election will occur at the following meeting. The Executive Board will appoint a member to fill the duties of Vice President or Secretary until an election can be conducted. A member of the Executive Board will carry out the duties of Treasurer until an election can be conducted. The newly elected officer will fill the unexpired term.

### Section 5

Anyone voting in any election in the Association is required to be a member of the Association.

## **ARTICLE III DUTIES OF THE OFFICERS**

### Section 1

The President shall preside at all meetings of the Association and the Executive Board and shall be an ex officio member of all committees except the nominating committee and audit committee if the President is given the power to sign checks. The President is responsible for the safekeeping of all official Association documents.

### Section 2

The Vice President shall perform the duties of the President in the absence of the President and shall assist the President when called upon.

### Section 3

The Secretary shall keep a correct record of all the meetings of the Association and Executive Board and shall be responsible for correspondence in connection with the business of the Executive Board and membership. The Secretary shall be responsible for finding someone to take minutes in the event s/he cannot be present at a meeting. The Secretary shall make copies of meeting minutes available for review and approval.

### Section 4

The Treasurer shall receive all monies of the Association, keeping an accurate record of receipts and expenditures, and make disbursements as authorized by the Association, Executive Board or committees, in accordance with approved budgets and receipt vouchers. The Treasurer shall present a financial report at each business meeting during the school year.

### Section 5

The Assistant Treasurer shall perform the duties of the Treasurer in the absence of the Treasurer and shall assist the Treasurer when called upon.

### Section 6

All officers and chairpersons must deliver all records, materials, or anything pertaining to their particular office promptly to the new President when (s)he takes office.

## **ARTICLE IV EXECUTIVE BOARD**

### Section 1

The Executive Board shall consist of the officers of the Association and the Principal.

### Section 2

The duties of the Executive Board shall be transacting necessary business between general meetings as well as supporting the standing committees of the Association. Meetings shall be held throughout the year as called for by the President or a quorum of the Board.

### Section 3

The Executive Board shall appoint an accountant each year at the May meeting to review the accounts of the Association for the year ending June 30. This accountant shall conduct a review and file a report with the President by the first day of school. Transition years for the office of Treasurer will have a professional audit.

## **ARTICLE V STANDING COMMITTEES**

### Section 1

Committees may be created by the Executive Board as deemed necessary to promote the objectives and policies of, and to carry out the work of, the Association.

Section 2

Each committee shall be headed by a Chairperson appointed by a quorum of the Executive Board from individuals who have stated a willingness to chair. The Chairperson is responsible for calling committee meetings and reporting progress at the general meetings. Each committee shall have a concise statement of purpose that will be updated as needed.

Section 3

All committee chairpersons shall serve a one (1) year term.

Section 4

Each committee shall work within the budget established for the committee. All committee monies must be counted and verified by the Treasurer and the committee chairperson.

**ARTICLE VI PARILMENTARY AUTHORITY**

Section 1

The rules contained in the Robert's Rules of Order, Revised shall govern this Association in all cases to which they are applicable.

**ARTICLE VII MEMBERSHIP MEETINGS**

Section 1

All meetings shall be scheduled by the President and approved by the Executive Board.

Section 2

The Executive Board may call special membership meetings from time to time and all members shall be notified.

Section 3

Nine members shall constitute a quorum to do business at any general membership meeting of the Association. Three members of the Executive Board shall constitute a quorum at any Executive Board meeting.

Section 4

By vote of the Executive Board, any monthly meeting may be cancelled or changed as deemed necessary.

**ARTICLE VIII TAX EXEMPTION**

Section 1

The home and school association is organized exclusively for charitable and educational purposes, including for such purposes, the making of distributions to organizations under section 501 (c) (3) of the Internal Revenue Code of 1954 (or the corresponding provision of any future United States Internal Revenue Law).

## Section 2

No part of the net earnings of the home and school association shall inure to the benefit of, or be distributable to, its members, officers, or other private persons, except that the home and school league 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 Section 1 hereof. No substantial part of the activities of the home and school league shall be the carrying on of propaganda, or otherwise attempting to influence legislations, and the home and school league shall not participate in, or intervene in (including the publishing or distribution of statements) any political campaign on behalf of any candidate for public office. Notwithstanding any other provision of these articles, the home and school league shall not carry on any other activities not permitted to be carried on (a) by a corporation exempt from Federal Income Tax under section 501 (c) (3) of the Internal Revenue Code of 1954 (or the corresponding provision of any future United States Internal Revenue Law) or (b) by a corporation, contributions to which are deductible under section 170 (c) (2) of the Internal Revenue Code of 1954 (or the corresponding provision of any future United States Internal Revenue Law).

## Section 3

Upon dissolution of the home and school association, the Board shall, after paying or making provision for the payment of all of the liabilities of the home and school association, dispose of all of the assets of the home and school association exclusively for the purposes of the home and school association in such manner, or to such organization or organizations organized and operated exclusively for charitable, educational, or scientific purposes as shall at the time qualify as an exempt organization or organizations under section 501 (c) (3) of the Internal Revenue Code of 1954 (or the corresponding provision of any future United States Internal Revenue Law), as the Board shall determine. Any such assets not so disposed of shall be disposed of by the Court of Common Pleas of the county in which the principal office of the home and school association is then located, exclusively for such purpose or to such organization or organizations as said Court shall determine, which are organized and operated exclusively for such purposes.

## **ARTICLE IX AMENDMENTS**

### Section 1

These By Laws may be amended at any regular meeting of the membership by a majority vote of the members present and voting, provided the amendment has been presented at a previous general meeting and published in the minutes. Approved amendments are to be enacted immediately and may be retroactive where applicable.

### Section 2

A review of the By Laws shall be made every two years beginning in May 2004.

### Section 3

All officers and committee chairpersons shall have a copy of the By Laws. Any other member of the Association may secure a copy upon request to the Secretary.

**ARTICLE X APPROVAL**

Formal approval of this Constitution and Bylaws shall take place immediately after election of the executive board at the first regular business session.

**ARTICLE XI DISSOLUTION**

Upon the dissolution of the Association, 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.

This document was developed by a representative group of the Upper Providence community. Final approval will take place prior to September 30, 2003.

Approved by General Membership 2/8/06