

BYLAWS EFFECTIVE JULY 1, 2023 UNTIL JUNE 30, 2025
Approved (08/04/2023) by Bylaw Committee & Administration
JAMES MASTRICOLA UPPER ELEMENTARY PARENT-FACULTY ASSOCIATION

Article I: Organization

- A) Name: This organization is herein known as the James Mastricola Upper Elementary School (JMUES) Parent-Faculty Association (PFA), hereafter referred to as the JMUES PFA.
- B) Existence: The JMUES PFA is an un-incorporated, non-commercial, non-partisan, non-sectarian organization. Its intent is to operate as a non-profit organization pursuant to Internal Revenue Code section 501(c)(3).
- C) Purpose:
- 1) The JMUES PFA strives to foster a strong partnership/connection between home and school via:
 - (a) Active family involvement in volunteer programs, school activities, events, fundraisers, and participation in school committees.
 - (b) Informative programs on pertinent topics.
 - (c) Serving as a liaison in relating parent (guardian)/educator concerns and ideas.
 - 2) The JMUES PFA provides financial support for initiatives that:
 - (a) Enrich the learning experience/process.
 - (b) Supports social and emotional development and learning for all students.
 - (c) Increase a sense of pride in the JMUES community.
 - (d) Enhances the partnership and communication between families and the school.
- D) Organization consists of:
- 1) General Membership (also known as “Members”): All educators, staff, and parents/guardians/families of the children currently enrolled at JMUES.
 - 2) The Executive Board (also known as “Officers”): President, Vice President of Fundraising, Treasurer, Secretary, and Volunteer Coordinator
 - 3) The Principal and Assistant Principal will serve in an advisory role to the General Membership and Executive Board
- E) Year: The fiscal year will run from Jul 1st through Jun 30th.
- F) Insurance: The organization shall provide liability insurance to protect JMUES PFA Board members and officers from any judgment resulting from suits brought against them. The insurance shall cover claims in such matters as civil rights actions, negligence or other acts resulting in accidental injury to any person or property damage in or out of the school buildings while the above-named insured are acting within the scope of their duties and/or under the direction of the Officers.

Article II: Officers and their Election

- A) Elected Officers must be General Members; see Article III:F:4 when special circumstances apply as all positions must be filled for the majority of the term (as defined in Article I:E).
- B) Elected Officer Positions: President, Vice President of Fundraising, Treasurer, Secretary, and Volunteer Coordinator
- C) Term of Office will consist of one (1) fiscal year (as defined in Article I:E) for each officer.

D) Nominations of Positions:

- 1) Notice of nomination process and election timelines will be presented to the Members, as well as fourth grade families, on or before April 15 of the given school year.
- 2) Electronic solicitation of nominees will occur no later than May 15 of the given year.
- 3) Only those persons whose consent has been secured may be nominated. An officer will verify consent with nominee within two days of the nomination period conclusion

E) Elections:

- 1) If there is only one nominee for each elected office, the full slate of Officers will be elected by acclamation at the June General Meeting.
- 2) If there are multiple nominees for any given position, the General Membership will elect all Officers by electronic ballot vote by June 1.
 - (a) Ballots will be sent electronically to the General Membership and fourth grade families via Administration Power School distribution lists and/or JMUES PFA Website / social media. One vote per member will be allowed.
 - (b) A simple majority of votes will determine the election.
- 3) The President will announce the results via standard communication tools.
- 4) Both the outgoing and incoming Officers shall attend the June General Meeting.
- 5) Should an Executive Board member position be filled by a JMUES staff member, said member shall excuse themselves from all voting with regards to financial matters.

F) Vacancies:

- 1) A vacancy of an Executive Board position may be defined as an Officer that has:
 - (a) Become inactive for at least one-third of their term
 - (b) Taken a leave of absence for the remainder of their term; leave of absences will be acknowledged in writing by the Officer and presented to the President and Principal/Assistant Principal
 - (c) Resigned from their current position; resignations will be acknowledged in writing by the Officer and presented to the President and Principal/Assistant Principal; this vacancy must be filed no later than 30 days post resignation
- 2) In the event of a vacancy in the office of the President, the VP of Fundraising will immediately assume the position until filled; in the event of a vacancy in the office of the VP of Fundraising, the President will immediately assume the position until filled.
- 3) In the event of a vacancy in the office of both the President and VP of Fundraising, the Treasurer will immediately assume the position until at least one/both position(s) is filled.
- 4) In the event of a vacancy on the board, the remaining Officers will appoint a replacement no later than 30 days within the vacancy of the position.
- 5) In the event no person from the existing General Membership is willing to serve as an Elected Officer at the time of a resignation/vacancy and/or the start of a new term, a past Officer(s) or past Member(s) of JMUES PFA who no longer have children attending James Masticola Upper Elementary School may fill the role until a current General Member is able to fill the position.

Article III: Meetings

A) General Meetings:

- 1) Are open to all Members.
- 2) Are typically held on a monthly basis, and as needed.
- 3) Will have a quorum when six (6) Members, of which at least two (2) Officers are present.

- 4) No Member shall have the right to vote at a General Meeting unless that member has attended at least one prior General Meeting of that school year, with the exceptions of:
 - i) Exception will be made at the first General meeting of the school year, at which time any member present may vote
 - ii) Exception will be made for the JMUES staff representatives that may rotate meeting attendance. Said representatives will be allowed to vote regardless of prior attendance.
- B) Executive Board Meetings:
 - 1) Should be held at least every other month, or as needed.
 - 2) Any Officer can request the President to call an Executive Board Meeting to discuss issues pertinent to the General Membership.
 - 3) Will have a quorum when three (3) Officers are present.
 - 4) Items requiring an executive decision can be submitted during Executive Board Meetings or an electronic vote shall suffice.
- C) Conflict of Interest per State of N.H. RSA's 7:19a and 7:21: At such time as any matter comes before the organization in such a way as to give rise to a conflict of interest, the affected Officer(s) or Member(s) shall make known the potential conflict, whether disclosed by written statement or not, and after answering any questions that might be asked of him/her, shall withdraw from the meeting for so long as the matter shall continue under discussion. Should the matter be brought to a vote, no Officer or Member with a financial or material gain transaction shall vote on it. The Board shall comply with all the requirements of New Hampshire law where conflicts of interest are involved, including but not limited to the requirement of a two-thirds vote of a quorum of disinterested Directors and, if the financial benefit exceeds \$5,000 in a fiscal year, publication in the required newspaper, and disclosure to the Charitable Trusts Unit.

Article IV: Duties of Officers

- A) President:
 - 1) Maintains a working relationship with the Executive Board, Committee Coordinators, School Administration and Staff.
 - 2) Runs General Meetings and Executive Board Meetings in an orderly manner, referring to Roberts Rules of Order, should the need arise.
 - 3) Prepares the agenda for the General Meetings and Executive Board Meetings.
 - 4) May only vote to break a tie.
 - 5) May disburse funds in the absence of the Treasurer.
 - 6) Will inform the Members of pertinent news and events.
 - 7) Prepares a calendar of events, in conjunction with Administration, for the upcoming school year, typically in the July/August timeframe.
 - 8) Prepares and/or collaborates with Principal/Assistant Principal on required MSD paperwork (i.e., facilities request, custodial support request, etc.) and/or Merrimack Police Detail requests that may be required for JMUES PFA events.
 - 9) Responsible for the JMUES PFA mailbox in the Main Office.
 - 10) Will have administrative access to post/moderate on JMUES PFA social network sites.

B) Vice President of Fundraising:

- 1) Oversees all primary fundraising activities.
 - (a) Devises a plan for fundraising events and selects the event coordinators. Presents plans to Officers with pertinent details.
 - (b) Recruits and works with each event coordinator on event planning, execution, and event conclusion/reporting.
 - (c) In the absence of an event coordinator, will act as the event coordinator.
- 2) Acts as an aide to the President.
- 3) Runs the General Meetings in the absence of the President.
- 4) Represents the President upon request.

C) Treasurer:

- 1) Keeps an accurate and detailed account of funds in an electronic format.
- 2) Presents Treasurer's Report at each General Meeting.
- 3) Submits a copy of Monthly Bank statements and bank reconciliation to the Executive Board; maintains records within Google Workplace Drive.
- 4) Receives and prepares all money for deposit and/or retains and records all electronic transfers received via online resources (Stripe, SquareUp, Benevity, WePay, etc.).
- 5) Pays all approved bills by check or online bill pay.
- 6) Preserves all vouchers, receipts, treasurer's reports and bank statements; retains annual records/transactions for the following seven years.
- 7) Has ledgers available for review upon General Membership and/or Officer request.
- 8) Has books reviewed each year no later than August by the Principal and/or Assistant Principal, and/or professional bookkeeper/tax professional.
- 9) Prepares the proposed budget in collaboration with Officers, Principal and Assistant Principal and presents to General Membership in May General meeting.
 - Adjusts budget as needed based on approved motions during May General Meeting
 - Presents budget for final approval at June General Meeting
 - Should a budget not be finalized and approved by 30 Jun of prior FY, the Executive Board shall not expend funds in excess of prior years Q1 expenditures, until current year budget is approved within current FY.
- 10) Presents the final approved budget at the first General Meeting of the school year.
- 11) Files all necessary federal and state reports by November 15, as well as submits 1099s, as appropriate, by Jan 31.
- 12) Will prepare cash boxes for JMUES PFA events and functions, as needed.
- 13) Responsible for the JMUES PFA mailboxes in the Main Office.

D) Secretary

- 1) Records all business matters at the General and Executive Board Meetings, to include a list of attendees.
- 2) Presents the minutes for approval at the next meeting.
- 3) Has on hand for reference: current bylaws and previous minutes.
- 4) Conducts all necessary correspondences as requested from the Executive Board.
- 5) Will have administrative access to post/moderate on JMUES PFA social network sites.

E) Volunteer Coordinator:

- 1) Communicates volunteer sign-up electronically to the general membership.
- 2) Maintains a list of volunteers (as defined by Article V:A); Provides oversight of volunteer adherence to the MSD policies and protocols (reference Article V: (A)(4), (A)(5), and Article V:B)

- 3) Communicates Volunteer names and contact information to respective Officers and Program and/or Fundraising event coordinators.
- 4) Provides JMUES PFA Volunteer Orientation in conjunction with Administration, typically in the September timeframe. Provides ad-hoc orientation to any new volunteer.
- 5) Collects and tabulates hours of volunteers on a monthly basis.
 - (a) Submits total volunteer hours to Assistant Principal in June for Blue Ribbon Award as part of the New Hampshire Partners in Education.
- 6) Sends out approved email notifications for requests for volunteers as needed by Officers and Administration.

F) Executive Board

- 1) Shall track all hours volunteered for organization on at least a monthly basis and provide to Treasurer for use in the annual state report
- 2) Shall keep pertinent records of their office to transfer to incoming officers.
- 3) Will prepare incoming officers to assume their office.
- 4) Will have access to review comments on the JMUES PFA social networking sites.
- 5) Provides updates, as needed, to JMUES Webmaster for the JMUES PFA district website
- 6) Utilizes and maintains a shared document drive and their respective email addresses.

Article V: Definitions and Requirements of Volunteers

- A) The definition of a volunteer, per Merrimack School Board (MSB) Policy, is as follows: any individual who provides a service to the district without pay or any form of compensation, and includes, but is not limited to, the following: (here and after titled volunteer)
 - 1) Comes in direct contact with students, meeting regularly without the direct supervision of an MSD employee
 - 2) Volunteers who will be involved in extended overnight trips
 - 3) Any other volunteer so designated by the Superintendent or his/her designee
 - 4) It shall be noted that any MSD school volunteer are subject to the provisions of Policy GBCD – Background Investigation and Criminal Records Check.
 - 5) No individual shall be considered a volunteer unless they have been approved to serve as a volunteer by a school district administrator.
- B) Per RSA 189:13-a and Merrimack School Board Volunteer Policy – IJOC, a MSD volunteer will complete:
 - 1) A Volunteer Application
 - 2) Sign a Confidentiality of Student/Employee Information Agreement (Appendix IJOC-R)
 - 3) Risk Management courses as directed by the MSD (and/or other training identified by the Superintendent). Volunteers will provide their certificate of completion with the Volunteer Coordinator.
- C) In addition to MSB Volunteer Policy, JMUES PFA Volunteers will:
 - 1) Complete the JMUES PFA Volunteer Orientation
 - 2) Submit all time volunteered for JMUES or JMUES PFA by either: signing in/out on Volunteer Sign-In sheets in JMUES lobby entrance, or electronically utilizing ‘Volunteer Hour Submission Form’ located on www.muespfa.com home page
- D) The JMUES PFA will not tolerate any confidentiality infractions. Any breach of the MSD confidentiality agreement will result in immediate release of duties/assignments. Volunteers will be removed from participating in any event/program run by the JMUES PFA and/or relieved of Coordinator or Executive Board Membership by either an Elected Officer and/or JMUES Administration.

Article VI: Duties of Coordinators

- A) All Program and Fundraising Coordinators will:
- 1) Create and dissolve a committee as needed.
 - 2) Keep pertinent records of his/her committee, event, or program to be given to the succeeding coordinator and the appropriate Officer.
 - 3) Collaborate with elected Officers to select and train replacement coordinator.
 - 4) Refer to Article VIII with respect to notices.
 - 5) Report progress and any major decisions or changes concerning events or programs to the Officers for approval before implementing them at least monthly during the General Meeting, or as needed to ensure event or program success. Coordinator(s) may send a representative in his/her place to the General Meeting.
 - 6) Request approval of expenses totaling over \$50.00, budgeted or otherwise, to the Officers.
 - 7) Submit all receipts for reimbursement to the Treasurer within 30 days of the expense.

Article VII: Disbursement of Funds

- A) At no time will funds raised by the JMUES PFA be contributed to any other organization unless it is in accordance with the Organization Purposes as specified in Article I, Section C.
- B) The President and Treasurer have authority to sign checks for disbursement of funds. All checks require both the President and Treasurer signatures to disburse funds from the JMUES PFA bank account(s).
- C) All planned expenditures in excess of \$100 of approved budgeted amounts must be submitted for discussion at the General meeting for approval.
- D) Funding requests for non-budgeted items will be considered at the discretion of the Officers.
- 1) All non-budgeted funding requests must be submitted in writing to the President at least ten days prior to the General Meeting.
 - 2) By simple majority, the Officers may vote to have a non-budgeted funding request determined by vote to the General Membership.
 - 3) Motions on non-budgeted funding requests will be communicated to requestor and announced at the next scheduled General Meeting.
- E) Items requiring Executive vote, electronic vote shall suffice.
- F) General Membership seeking reimbursement shall submit receipts within 30 days of expense incurred; all expense(s) incurred require prior approval from the President or Treasurer.

Article VIII: Printed/Electronic Materials

- A) All notices must be submitted to and approved by either the Principal and/or Assistant Principal prior to publication.
- 1) The President must review all notices prior to the Principal and/or Assistant Principal.
 - 2) Examples of printed material includes, but is not limited to:
 - Letters and/or announcements from the Executive board and/or event coordinators
 - JMUES PFA Newsletter / E-mail blasts

Article IX: Bylaw Revisions

- A) The bylaws will be reviewed, biennially, for any necessary changes, by the bylaw committee
- B) The bylaw committee will consist of the President and at least one other Officer, and will be formed no later than May 1 of the year of review. Committee members must be General Members. The bylaw committee will:
 - 1) Meet via closed meeting(s) for discussion of updates to current bylaws. Suggested revisions will be documented by Jun 1.
 - 2) Present the report/suggested updates to the Officers, Principal and/or Assistant Principal at the June General Meeting. Any further updates must be presented to Officers and Administration no later than Jun 30.
- C) The JMUES PFA President will sign the by-laws on behalf of the bylaw committee upon agreed revisions between the bylaw committee and JMUES administration.
- D) All approved revisions will become effective on the first day of the new fiscal year.
- E) The JMUES PFA must operate in accordance with all federal, state and local regulations and said regulations supersede anything represented herein. Revisions to the JMUES PFA bylaws may be made outside the biennial time period (see "A" above) in order to stay within the bounds of federal, state and local regulations.

Article X: Dissolution of Organization

- A) Provision for Dissolution: Upon the dissolution of the organization, assets shall be distributed as a gift to James Masticola Upper Elementary School or a local organization or organizations for one or more exempt purposes within the meaning of Section 501(c)(3) of the Internal Revenue Service Code, or corresponding section of any future tax code. The assets of a charitable organization may not be distributed to individuals.
- B) Dissolution Process:
 - 1) Vote to dissolve is made by a two-thirds vote of a quorum of the Officers and a two-thirds vote of the General Members. The vote must include a plan for distribution of its assets and payment of its debts. (Reference: RSA 292:10-a, I)
 - 2) File a Statement of Dissolution, Form NP-5, with the Secretary of State.
 - 3) File a final Form 990 or 990-EZ with the Internal Revenue Service.
 - 4) File a final NHCT-12, including Schedule E, with the Charitable Trusts Unit of the Attorney General's office. See N.H. Admin. R. Jus 407 (Withdrawal).

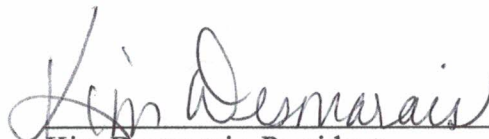
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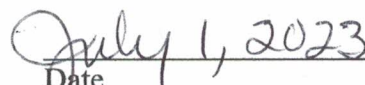
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Kim Desmarais, President



Date