

CHERRY CREEK SCHOOL DISTRICT PARENT-TEACHER COMMUNITY  
COUNCIL, INC.  
Aspen Crossing Elementary PTO/PTCO BY-LAWS

**ARTICLE I**

**NAME\***

The name of the organization shall be the Cherry Creek School District Parent Teacher Community Council, Inc. Aspen Crossing Elementary PTCO, hereafter known as the PTCO.

**ARTICLE II**

**PURPOSE\***

1. The purpose of the PTCO shall be to assist in attaining the highest level of education and welfare for the entire student body of Aspen Crossing Elementary through the cooperative efforts of the Faculty and Staff, the Cherry Creek District community and the Parents.
2. This PTCO is a subordinate organization of and is organized under authority granted by the Cherry Creek School District Parent Teacher Community Council, Inc., otherwise known as CCSD Parents' Council.
3. 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 organization is not a private foundation.
4. The PTCO Executive Board and Board of Directors are comprised of general and associate membership, and parents or guardians who serve the Aspen Crossing Elementary community.

**ARTICLE III**

**MEMBERSHIP**

1. EXECUTIVE BOARD - The Board shall consist of the elected officers of the board listed under Article IV.
2. GENERAL – General membership shall consist of the parents or guardians of students, the administrators, the faculty, and the staff of Aspen Crossing Elementary School.
3. ASSOCIATE – Associate membership shall consist of the students of Aspen Crossing Elementary School and interested members of the community.

**ARTICLE IV  
ELECTED OFFICERS AND THEIR DUTIES**

President/Co-Presidents

1. To call and preside at all meetings of the organization.
2. Serve as the primary contact for the principal.
3. To be a member ex-officio of all committees, except the nominating committee.
4. To work with the Executive Board to appoint chairpersons of Standing and Special Committees, the Nominating Committee, and representatives.
5. To attend CCSD Parents' Council general meetings or assign a representative (Parents' Council Representative or Representatives).
6. To sign checks in the absence of the Treasurer.
7. Review monthly financial statements with the Treasurer.
8. To appoint an examiner not on the current Executive Board to conduct the year-end financial examination of the organization's book. Submit a copy of the examination to the Treasurer of the CCSD Parents' Council no later than 30 (thirty) days after completion. \*
9. 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. \*
10. To attend a minimum of one CCSD Parents' Council Training upon election.\*
11. To the best of your ability, attend District functions where individuals from your school are invited and/or honored.

Secretary/Secretaries

1. To record, transcribe and distribute the minutes of all PTO/PTCO and Executive Board meetings.\*
2. To maintain and keep current a copy of the Bylaws.\*
3. To handle all incoming and outgoing correspondence as needed by the PTO/PTCO.
4. To maintain a current listing of the Executive Board and the Committee Chairpersons.
5. To provide a copy of the Executive Board listing, including contact information (Name, Address, Phone, and E-Mail Address of each) to the CCSD Parents' Council upon election. \*

Treasurer/Treasurers

1. To receive, deposit, and disburse the funds of the organization, as authorized by the Executive Board.
2. To maintain accurate records of all financial transactions. \*
3. To submit monthly financial statements to the Board.
4. To submit financial records for examination by July 15 to the Executive Board (review to be completed by August 15).\*
5. To sign the Affiliation Letter for CCSD Parents' Council along with the President.\*
6. To prepare the Annual Budget in conjunction with the Budget Committee for approval by the Executive Board and ratification by the General Membership. \*
7. To submit a copy of the Annual Budget to the Treasurer of the CCSD Parents' Council upon formal approval by the PTO membership. \*

8. To attend a minimum of one CCSD Parents' Council Training upon election. \*
9. To maintain and reconcile the organization's checkbook with bank records.
10. To register the organization as a Charitable Organization in the State of Colorado with the Secretary of State. \*
11. To file all annual financial statements/tax returns and schedules, regardless of income, with the Internal Revenue Service and the Colorado Secretary of State. \*
12. To send copies of each filing to the Treasurer of the CCSD Parents' Council no later than 30 (thirty) days after such filing. \*

#### Communications Officer

1. Shall be responsible for any communications from the PTCO to the community and staff, including the monthly newsletter, social media, emails, and written correspondence to include but not limited information on upcoming meetings, events, and fundraisers.
2. Shall aid in creating and distributing any flyers that will go out to the community.
3. Shall ensure our community is fully informed to the best of his/her ability and in a timely manner.

#### Community Events Officer

1. Oversee and arrange all school spirit nights
2. Manage and run all Bingo nights
3. Oversee and coordinate with vendors for school supply kits and spirit wear

### **ARTICLE V ELECTION OF OFFICERS**

1. The Nominating Committee shall consist of the Principal, two Board members, and two General members.
2. The members of the Nominating Committee shall elect the Chairperson of the committee.
3. The Nominating Committee shall nominate a candidate for each elected office. The slate of candidates for each office shall be presented at least 2 weeks prior to voting.
4. The election shall take place in the spring of each school year.
5. Nominations shall be accepted from the floor at a general meeting on the condition that the nominee consents.
6. Election shall be by voice vote if there is only one nominee for an office. If more than one candidate is nominated for office, the election shall be by a plurality of those present and vote via written or electronic vote.
7. The term of the office for all members of the Executive Board shall be for two years from July 1st to June 30th.
8. No officer shall be eligible to serve in the same office for more than two consecutive years unless agreed upon by a quorum (half the number of board members plus one constitutes a quorum).
9. Should a vacancy occur in the permanent absence of the President, the Vice President shall become President. If there is no Vice President, the Executive Board must select a current Board member to fill the vacancy. In the event a vacancy should occur among

the elected officers, the President(s) will call a meeting of the Executive Board within 30 (thirty) days to appoint a new officer to finish the unexpired term. A letter of resignation is requested upon vacating a current position.

10. Officers can be removed from office with cause by a two-thirds vote of those present at a regular meeting where previous notice has been given within two weeks' notice.

## **ARTICLE VI BOARD COMPOSITION**

1. The Board of Directors (Executive Board) shall consist of a minimum of four (4) elected members: President; Secretary; Treasurer; and Aspen Crossing Administrator.
  - a. Other positions of the Executive Board may include, but are not limited to: Vice President, Communications, and Events.
  - b. New positions may be designated by a majority vote of the Executive Board in office whenever, in its judgment, the best interests of Parents' Council would be served thereby.
  - c. Each position may have up to two (2) co-officers.
  - d. All positions, including co-positions, shall have their own voting privileges
2. The duties of the Executive Board shall be to transact business between meetings in preparation for the general meeting, create standing rules and policies, create standing and temporary committees, prepare and submit a budget to the membership, approve routine bills, and prepare reports and recommendations to the membership.

## **ARTICLE VII MEETINGS**

1. Regular meetings of the membership shall be held during the school year. The meeting dates for the entire year should be advertised before the beginning of the school year, but no less than 30 days prior to the meeting, through print and electronic means available to the organization.\* This does not include election of officers. (see Article V)
2. Meetings shall be open to all members of the organization and interested community members.\*
3. The Executive Board shall hold a regularly monthly meeting in addition to the regular general meeting.
4. Special meetings of the Executive or General Board may be called by the President(s) or the Principal with a five-day notice, through print and electronic means available to the organization.\*
5. A joint meeting of the outgoing and incoming Boards shall be held at the last regular meeting of each school year.
6. 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 appealed to the Executive Board.
7. Minutes shall be kept at all general membership meetings.

## **ARTICLE VIII**

## **OPERATING PRINCIPLES\***

The following are the operating principles to be followed by this PTCO, as required by the Cherry Creek School District Parent Teacher Community Council, Inc. (CCSD Parents' Council).

1. The 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.
2. 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 support or influence 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 the 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 spends no more than five percent (5%) of its annual expenditures in support of election activities.
3. 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).
4. 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.

## **Financial Policies**

Please see the attached Financial Policies for detailed information on the PTCO's cash, debit card, and check policies.

## **ARTICLE IX**

### **AFFILIATION WITH CCSD PARENTS' COUNCIL (CHERRY CREEK SCHOOL DISTRICT PARENT TEACHER COMMUNITY COUNCIL, INC.)\***

1. 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.
2. An annual Affiliation Letter shall be signed by the President and Treasurer of the 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 to the CCSD Parents' Council. (A signature received via a FAX or electronic document is deemed acceptable.)

3. The membership fee required by the CCSD Parents' Council shall be an obligation of this organization.
4. 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.
5. 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.
6. 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.
7. The President of this organization shall be a member 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 PTCO meetings.
8. As a subordinate organization of the CCSD Parents' Council, this group is obligated to operate in accordance with provisions required by the CCSD Parents' Council and the Operating Principles outlined in these Bylaws, and is subject to investigation, mediation and decisions of the Parents' Council Executive Board, as deemed necessary to uphold the Purpose of this organization and protect its tax status. Failure to comply with these provisions could result in withdrawal by the CCSD Parents' Council of the charter of this organization and removal of all affiliate benefits.

#### **ARTICLE X FISCAL YEAR\***

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

#### **ARTICLE XI QUORUM, VOTER ELIGIBILITY AND VOTING**

The General Membership and Board Members and associate members present at any meeting shall be entitled to vote for the purpose of transacting the business of the organization. All eligible voters at a meeting shall constitute a quorum. Unless otherwise required in the Bylaws, a majority vote shall decide all matters at the meeting. The President shall vote only in the event of a tie vote.

Voting at Executive Board meetings is restricted to Executive Board members and the Principal of the school (or Assistant to the Principal if the Principal cannot be present). Half the number of voting members present plus one at any Executive Board meeting constitutes a quorum.

Unless otherwise required in the Bylaws, a majority vote shall decide all matters at an Executive Board meeting.

#### Grant requests

- Refer to the Financial Policy on how grant requests are handled.

#### Conflict of Interest

- The purpose of the conflict of interest policy is to protect this tax-exempt organization's interest when it is contemplating entering into a transaction or arrangement that might benefit the private interest of an officer or director of the organization or might result in a possible excess benefit transaction. This policy is intended to supplement, but not replace any applicable state and federal laws governing conflict of interest applicable to nonprofit and charitable organizations. Whenever a member or officer has a financial or personal interest in any matter coming before the Executive Board or general board, the affected person shall a) fully disclose the nature of the interest and b) withdraw from discussion, lobbying, and voting on the matter. Any transaction or vote involving a potential conflict of interest shall be approved only when a majority of disinterested members determine that it is in the best interest of the organization to do so. The minutes of meetings at which such votes are taken shall record such disclosure, abstention, and rationale for approval.\*

#### Voting by Electronic Communication

1. The Executive Board may take action, without a meeting, by electronic communication if action is required before the next scheduled meeting. A notice stating the action to be taken and the time by which a response is required must be included in the electronic communication to each member of the Board.
2. The board member may vote or demand action not be taken without a meeting by the required response date in like communication.
3. Failure to respond by the time stated in the notice will have the same effect as abstaining from voting.
4. The action passes with affirmative vote from the simple majority of the Executive Board.
5. The action must be ratified at the next scheduled meeting and documented in the minutes.

## **ARTICLE XII**

### **EQUITY/DIVERSITY STATEMENT\***

1. The officers, directors, committee members and other persons serving this organization shall be selected entirely on a nondiscriminatory basis with respect to age, sex, race, religion, national origin and sexual orientation.
2. In alignment with the Cherry Creek School District Core Values, the Cherry Creek School District PTO/PTCOs seek to further its commitment to diversity, equity, and inclusion, including diversity on the basis of race, color, ancestry, creed, sex, gender, sexual orientation, religion, national origin, marital status, age, disability or need for special

education services, ability and neurodiversity. Through our actions and accountability, we will work to both respect these differences and acknowledge commonalities that unite our community. From this knowledge we will develop meaningful priorities, including but not limited to the following:

- 2.1. Assessing our beliefs and practices on a consistent basis to ensure inclusiveness and guard against discrimination;
- 2.2. Being inclusive through membership, leadership, programs, partnerships, and communications and in so doing to mirror the diversity of our community.
- 2.3. Communicating with families in our community in languages which they understand;
- 2.4. Proactively engaging a diverse range of voices from members and prospective members, while acknowledging and appreciating individual ideas, knowledge and values that are different from our own;
- 2.5. Working to eliminate practices that promote inequality or inequity;
- 2.6. Engaging in good faith efforts to increase purchases from and contract awards to Historically Underutilized Businesses, as that term is defined by Colorado.

**ARTICLE XIII  
PARLIAMENTARY AUTHORITY\***

1. The latest revision of Robert's Rules of Order shall be the authority on parliamentary law, except when in conflict with these bylaws.

**ARTICLE XIV  
AMENDMENTS\***

1. Bylaws shall be reviewed by the Board annually.
2. These Bylaws may be amended at any general meeting by a majority of the votes of the General members and Board members present and voting, provided that written notice of the proposed amendment(s) shall have been given thirty (30) days prior to the meeting, and have prior approval by the Executive Board.

Original Adoption: 10/2005 As amended: 1/2008, 9/2009, 8/2012, 1/2020, 08/2023