

CONSTITUTION AND BY-LAWS

OF THE

**MAHOPAC SPECIAL EDUCATION PARENT
TEACHER ORGANIZATION, INC.**

MAHOPAC, NEW YORK 10541

MAHOPAC SEPTO
CONSTITUTION AND BY-LAWS

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ARTICLE 1: Name and Location

The name of this organization is the Mahopac Special Education Parent and Teacher Organization, hereinafter referred to as the Mahopac SEPTO. It is located in Mahopac, New York.

ARTICLE 2: Purpose

Section 1. Recognizing that every child deserves excellence in education and a quality life, the purpose of SEPTO is to serve the special education students and their families. Additionally, the purpose of the Mahopac SEPTO is common with those of the various school wide PTO's available in Mahopac by:

- A. Working collaboratively with the district to advance the quality and delivery of special education services in our public schools.
- B. Providing vital information and support to parents through sponsorship of forums, discussion groups and workshops in order to enhance parent's efforts to maximize the potential of their children and by creating a mutually supportive environment for parents of children of all ages to share experiences, resource and expertise.
- C. Training parents to be partners in education through networking opportunities with teachers, educators and other professionals.
- D. Advocating for the issues affecting special education students and their families.
- E. Supporting and recognizing the efforts of our teachers and administrators and the improvement of the facilities and resources available to our children.
- F. Providing extracurricular activities and promoting a united community through social, cultural and charitable programs.
- G. Providing service to the schools when requested.
- H. Raising funds through membership dues and other fundraising activities as necessary to support our "Purpose."

Section 2: The organization is organized exclusively for the charitable, scientific, literary, or educational purposes within the meaning of Section 501 (c)(3) of the Internal Revenue Code or corresponding section of any future federal tax code (hereinafter "Internal Revenue Code").

ARTICLE 3: Membership, Dues and Voting Rights

- A. SEPTO membership shall be open to all parents and guardians of children registered in the Mahopac Central School District, as well as teachers, administrators and staff members. Additionally, membership in SEPTO shall be open, without discrimination, to anyone who believes in and supports the purposes of the Mahopac SEPTO.
- B. “Members” are persons who meet the above qualifications and have paid their annual SEPTO membership dues. Membership dues shall be accepted throughout the calendar year.
- C. Membership shall be in effect from the date dues are paid until the 1st SEPTO meeting of the following school year.
- D. Members, including SEPTO Officers and the Executive Board, shall be entitled to one (1) vote per membership on each matter submitted to a Membership vote. Members must be present at the time voting takes place to exercise their vote.
- E. Non-members are encouraged to attend SEPTO meetings and voice opinions, but may not vote, make or second motions, or hold office.

ARTICLE 4: Officers and Elections

Section 1 – Officers – The Officers of the SEPTO shall be:

- a. President or Co-President(s)
- b. Vice President (s)
- c. Recording Secretary
- d. Treasurer
- e. Membership/Fundraising Coordinator(s)
- f. Event Coordinator

Section 2 – Election – The officers of the SEPTO shall be elected at the annual meeting of the SEPTO by a simple majority of the members in attendance.

Section 3 – Qualifications – Only SEPTO members are eligible to hold office. No member shall hold a position of Officer on another PTO board. No member shall run for more than one office per term. Effective September 2013, candidates for office shall previously have served as a SEPTO committee chairperson for one (1) year and have attended a minimum of three (3) SEPTO meetings.

Section 4 – Term – The term of office shall be one (1) year, beginning on July 1 and ending on June 30, except that the Treasurer’s term shall extend to July 31. No member shall serve more than two (2) consecutive terms in the same office, unless a qualified replacement cannot be found. Officers shall be required to pay their annual membership dues by the 1st SEPTO meeting of the following school year.

Section 5 – Nominating Committee

- A. On or before April 1, the President/Co-President(s) shall appoint a non-Executive Board SEPTO member to chair the nominating committee.
- B. The nominating committee shall request nominations for officers during the month of April via the April newsletter and a posting on the SEPTO website. The nominating committee shall then prepare a slate of eligible, consenting candidates. Candidates may run for office individually or as a slate of two. Members of the nominating committee may not be included on the slate.
- C. The slate of candidates and date and time of vote shall be posted in the May newsletter and on the SEPTO website at least one (1) week prior to the Annual Meeting.
- D. Election shall be by ballot. In the event of a tie, a run-off vote between the tying candidates shall immediately take place until there is a simple majority vote.

Section 6 – Vacancy – Any vacancies between terms may be filled by appointment by the Executive Board. The appointee shall hold office until the next election of Officers.

ARTICLE 5 – Executive Board

The SEPTO Officers, together with the District Wide Administrator of Special Education or his/her delegate, shall comprise the Executive Board. The District Wide Administrator or his/her delegate shall be a non-voting Board member. The duties of the Executive Board shall be to:

- A. Manage the affairs, activities and operations of the SEPTO.
- B. Plan and manage the annual SEPTO calendar, in cooperation with the President/Co-President.
- C. Meet monthly, or as needed to transact necessary business between SEPTO general meetings. Executive Board members shall attend all SEPTO

- D. meetings. In the event a Board Member is unable to attend any meeting he/she should arrange for an alternate to present any reports on their behalf.
- E. Call special meetings and/or emergency votes of the membership as needed in the event of time-sensitive or urgent matters.
- F. Create committees, appoint committee chairpersons, fill chairperson vacancies and approve committee plans in cooperation with the President/Co-President.
- G. Present a report of its activities, current events, fundraising activities and other pertinent information at the general meetings.
- H. Review the tentative budget and finalize a proposed budget for the following year, to be submitted for adoption at the allocation meeting.
- I. The District Wide Administrator of Special Education or his /her delegate shall serve as a liaison between the school district and the SEPTO board. The District Wide Administrator of Special Education or his/her delegate shall approve any notices distributed within the schools of the Mahopac Central School District on behalf of the SEPTO to students/parents.
- J. It will be required that an Executive Officer of the Board attend the monthly Mahopac Board of Education meeting in order to disseminate timely information to the SEPTO membership.
- K. In the event that a situation occurs where an Executive Board member needs to be removed from his/her position for cause, this will require a 2/3 (two-thirds) super majority vote of the Executive Officers.
- L. Executive Board Members must be present at the time voting takes place in order to exercise their vote.

ARTICLE 6 – Officers’ Duties

- A. Officers shall attend General and Executive Meetings. In the event an Officer is unable to attend any meeting, he/she shall notify the other Officers in advance and arrange for an alternate to present any reports on his/her behalf. Preferably, reports and/or other pertinent information should be provided in writing.
- B. Officers shall keep organized and thorough records.
- C. Outgoing Officers shall assist their successors in acclimating to the Office. All records, materials, property and any other pertinent information regarding the Office shall be delivered to the successor at the June Executive Board transitional meeting, or as soon as practical thereafter.

D. Additional job-specific duties, include but are not limited to, the following:

President/Co-President: Shall hold an organizational meeting of the Executive Board during the summer to plan for the upcoming school year. Shall cause important dates to be printed in the district calendar. Shall coordinate the activities and oversee the function of all committees. Shall act as liaison between the SEPTO and the schools within the Mahopac Central School District. Shall prepare and post online a meeting agenda prior to each general meeting. Shall make copies of the meeting agenda available at general meetings. Shall preside at all meetings of the Mahopac SEPTO and Board. Shall have a reference copy of the SEPTO Constitution and By-laws available at all meetings. Shall e-mail a current copy of the SEPTO Constitution and By-laws to all committee chairpersons at the start of each year. Shall be responsible for ensuring the publication and distribution of the SEPTO newsletter. Shall attend, or appoint an alternate to attend, President Council meetings. Shall approve any contracts, agreements or other obligations made in the name of the Mahopac SEPTO. Shall have discretion to authorize expenditures from a miscellaneous allocation fund, not to exceed \$99.00 per event, without first receiving SEPTO Board approval. Shall appoint a non-Executive Board SEPTO member to chair the nominating committee on or before April 1st. Shall be an authorized signatory on SEPTO banking accounts and shall sign checks when the Treasurer is not able to do so. Shall be permitted to make bank deposits when the Treasurer is not able to do so. Together with the Treasurer and the incoming President/Co-President and Treasurer, shall prepare a tentative budget prior to the June allocation meeting for review with the Executive Board. Any checks in the amount of \$500.00 or greater will require the signature of the Treasurer as well as either the President or Vice-President.

Vice-President(s): Shall assist the President/Co-President in assigned duties, and perform the duties of the President/Co-President in the event the President/Co-President is absent or unable to act. Shall be an authorized signatory on SEPTO banking accounts and shall sign checks when the Treasurer or President is not able to do so. Shall look over bank account statements monthly. Any checks in the amount of \$500.00 or greater will require the signature of the Treasurer as well as either the President or Vice-President.

Recording Secretary: Shall record the minutes of all meetings. Shall take attendance at each meeting, and note the attendance in the minutes. Shall make printed copies of the previous month's general meeting minutes available to members at each general meeting, and also cause them to be published on the SEPTO website. Shall determine members' eligibility to vote. Shall maintain copies of the minutes in a standing SEPTO file. Shall maintain copies of all contracts entered into on behalf of the SEPTO in a standing SEPTO file for a minimum of three (3) years.

Treasurer: Shall account for all monies going into and out of the SEPTO. Shall work with the President/Co-President, and the incoming President/Co-President and Treasurer,

to prepare a tentative budget prior to the June allocation meeting for review with the Executive Board. Shall deposit and disburse funds in accordance with the approved budget and SEPTO policies. Shall coordinate readily with the committee chairs to receive deposits and deliver checks. Shall deposit all monies received into the Mahopac SEPTO account at an authorized banking institution. Shall ensure deposits are made in a timely manner. Together with the President/Co-President shall have sole authority to make such deposits on behalf of the SEPTO. Shall reconcile and balance all SEPTO banking accounts. Shall keep accurate records of all receipts, expenditures and financial transactions. Shall keep copies of all reimbursement requests, receipts, cancelled checks and bank statements. Shall prepare a monthly Treasury report for presentation at each general meeting showing the current financial position of the SEPTO. At each meeting, shall be prepared to report on the availability of any funds in excess of budgeted expenses. Shall enable an annual audit of the Treasury books. Shall continue to work with the new Treasurer through July 31st. Shall complete and file any necessary forms with the State and Federal Government prior to completing the term, retaining copies and proof of mailing or electronic filing. Shall keep file copies of all NYS and IRS tax status documents. Any checks in the amount of \$500.00 or greater will require the signature of the Treasurer as well as either the President or Vice-President.

Membership/Fundraising Coordinator(s): Shall coordinate and oversee all membership and fundraising related items. Shall ensure that all fundraising products are received and distributed in a timely manner. Shall notify the District-Wide Special Education Administrator or his/her delegate of all SEPTO fundraising projects. Shall obtain Executive Board approval prior to executing fundraising contracts. Shall consult with the Treasurer and Executive Board to determine the necessity of any and all fundraisers.

Event Coordinator(s): Shall manage Mahopac SEPTO public relations and media. Shall keep up-to-date on programs, events and seminars offered in our community. Shall work with local organizations and foundations to distribute information on programs, events and seminars in our community. Shall collaborate with the Executive Board on planning SEPTO events.

ARTICLE 7 – Committees

- A. The Executive Board in cooperation with the President/Co-President shall create committees, appoint committee chairpersons, fill chairperson vacancies and approve committee plans.
- B. Committee chairpersons shall attend general meetings whenever possible. In the event that a chairperson is unable to attend any meeting, he/she shall notify the President/Co-President in advance and arrange for another member to present any reports on his/her behalf. Preferably, reports and/or other pertinent information should be provided in writing.

- C. Prior to beginning any work in the name of the SEPTO, chairpersons shall present a plan to the Executive Board for approval.
- D. Chairpersons shall be responsible for all aspects of their event, including, but not limited to securing building use forms, recruiting volunteers, advertising, setting up, cleaning up, collecting monies, verifying receipts and safeguarding all monies until deposited with the Treasurer. Copies of building use forms shall be provided to the President/Co-President.
- E. Chairpersons must obtain both District Wide Special Education Administrator or his/her delegate and President/Co-President approval of any correspondence distributed within the schools of the Mahopac Central School District on behalf of the SEPTO (printed or electronic) prior to distribution.
- F. Chairpersons shall keep organized and thorough records relating to the operation of their event, including an accounting of all receipts and expenditures.
- G. Chairpersons shall deposit with the Treasurer or President/Co-President any monies collected on behalf of the SEPTO within 5 days of receipt or close of event. All monies must be counted and change must be rolled. Deposits shall be accompanied by a completed and signed deposit form, as designated by the Treasurer. Chairpersons shall not make deposits directly to bank.
- H. Any requests for checks or reimbursement shall be presented to the Treasurer in writing on a designated "request for check reimbursement form." Written documentation of expenditures must be attached (i.e., receipts, purchase orders, etc.). All requests must be submitted by June 30.
- I. If the President/Co-President and/or Treasurer chair a committee, all requests for check reimbursement must be reviewed and signed by an independent Board member.
- J. Any contracts, agreements or other binding obligations made in the name of the Mahopac SEPTO shall be presented to the Executive Board for approval prior to execution. A copy of any executed contracts shall be provided to the Recording Secretary to be kept in the SEPTO files.
- K. Within fourteen (14) days of the close of the event, chairpersons shall submit to the Treasurer a completed committee report form.
- L. At or before the May annual meeting, chairpersons should notify the Executive Board if they require an allocation for the following year, or if they do not request renewal of all or part of the existing allocation.

- M. An outgoing chairperson shall prepare the new chairperson to take over the event. All committee records, materials and property shall be delivered to the successor or an Executive Board member prior to the June allocation meeting. These should include: a copy of the completed committee report form, contact information, a detailed description of duties and activities, and any other pertinent information regarding the operation of the committee.
- N. At the end of their term, chairpersons shall review the SEPTO committee description list, update any information on the committee summary as necessary, and return any changes to the President/Co-President.
- O. Chairpersons shall notify the President/Co-President in the event that he/she is unable to carry out the proposed plan of work or otherwise complete the event to task.

ARTICLE 8 – Meetings

Section 1 – General Meetings: General meetings of the SEPTO shall be open to all members, non-members and other interested parties. General meetings shall be held monthly when possible, with a minimum of five (5) per year, dates and times to be determined by the Executive Board. Notice of general meetings shall be posted. Copies of the meeting agenda shall be available at the meeting stating the business to be transacted.

Section 2 – Executive Meetings: Executive meetings shall be open to the Executive Board only, unless by special request for a non-Board member’s attendance. Executive meetings shall take place monthly, or as needed to transact necessary business between SEPTO general meetings.

Section 3 – Special Meetings: In the event of a time-sensitive or urgent matter, special meetings may be called by the Executive Board. Special meetings shall be open to all members, non-members and other interested parties. Business shall be limited to the matters for which the meeting was called. A quorum of 10 members is required to conduct business at a special meeting.

Section 4 – Annual Meeting: The annual meeting shall be held in May and shall be open to all members, non-members and other interested parties. Business conducted at the meeting shall include: presentation of the year-end Treasury report, the election of Officers, the collection of any outstanding year-end committee reports, and any other appropriate business.

Section 5 – Allocation Meeting: The allocation meeting shall be held in June for the purpose of voting on proposed allocations and adopting a budget for the following year. All committee chairs and Officers should attend.

Section 6 – Executive Board Transitional Meeting: The Executive Board transitional meeting shall take place immediately following the allocation meeting. Outgoing Board members shall deliver to their successors all records, materials, property and any other pertinent information regarding the position at this meeting.

Section 7 – Quorum: Unless otherwise specified herein, the members present at any meeting shall constitute a quorum for the transaction of business.

Section 8 – Majority Rule: Unless otherwise specified herein, a simple majority shall rule in any vote. In the event of a tie, the President/Co-President shall be entitled to cast the deciding vote(s), except in the case of Officer elections, where a run-off election shall be held.

ARTICE 9 – Basic Policies and 501 (c)(3) Qualifications

- A. The Mahopac SEPTO shall be a non-partisan, non-sectarian and non-commercial organization.
- B. No part of the net earnings of this organization shall inure to the benefit of, or be distributable to its members, Officers or other private persons, except that reasonable compensation may be paid for services rendered to or for the SEPTO. No members, Officers or other private persons shall be entitled to share in the distribution of any assets upon dissolution of the organization.
- C. The SEPTO shall neither seek to direct the activities of the school administration or control its policies.
- D. No substantial part of the activities of the SEPTO shall be the carrying on of propaganda, lobbying, or otherwise attempting to influence legislation.
- E. The SEPTO as an organization shall not participate in, or intervene in, any political campaign on behalf of, or in opposition to, any candidate for public office, including the publishing of statements of position. Activities intended to encourage participation in the electoral process itself are not prohibited if conducted in a non-partisan manner.
- F. Notwithstanding any other provisions herein, the SEPTO shall refrain from carrying on any other activities not permitted to be carried on:

- (a) by an organization exempt from federal income tax under section 501(c)(3) of the Internal Revenue Code, or the corresponding section of any subsequent federal tax code, or
 - (b) by an organization, contributions to which are deductible under section 170 (c)(2) of the Internal Revenue Code, or the corresponding section of any subsequent federal tax code.
- G. Unless otherwise specified herein, notices shall be given to members in the most inexpensive and environmentally-friendly manner which the Executive Board, in its discretion, deems reasonably calculated to reach the membership and other interested parties.
- H. The operating fiscal year shall begin on July 1st and end on June 30th.
- I. Shall maintain an operating balance of \$500.00 in the SEPTO checking account wherever possible.
- J. The Treasurer, President/Co-President and Vice President shall be designated signatures on SEPTO banking accounts. No signatory may sign any check payable to him/herself. Two (2) signatures shall be required for any withdrawal of funds from the SEPTO account other than by check.
- K. An independent audit of the SEPTO finances shall be conducted each year.
- L. Where these Bylaws are silent, Robert's Rules of Order, Newly Revised, shall apply where applicable. In the event of a conflict, these Bylaws shall govern.

ARTICLE 10 – Records

Records of the SEPTO (organizational, treasury, committee and other) shall be made available to members of the SEPTO for any proper purpose and upon reasonable request. Records shall also be made available for an annual audit of the financial accounts.

ARTICLE 11 – Dissolution

In the event of dissolution, any SEPTO assets remaining after payment of SEPTO debts and obligations shall be distributed for one or more exempt purposes within the meaning of Section 501 (c)(3) of the Internal Revenue code, or the corresponding section of any future tax code, or shall be distributed to the Federal, State or Local government for a public purpose.

ARTICLE 12 – Amendments

The Constitution and By-Laws of the Mahopac SEPTO may be revised or amended at any general meeting of the SEPTO. Proposed amendments and/or revisions shall be submitted in writing to the Executive Board and within 30 days this information will be disseminated to the membership. Copies shall be made available to the membership for review at the general meeting prior to the meeting in which the vote is to take place and shall also be made available online. Adoption of amendments and/or revisions shall require two-thirds (2/3) affirmative vote of the members present at the meeting. The amendments and/or revisions will become effective immediately upon adoption.

Adopted: April 5, 2010