

# BRYANT ELEMENTARY PTO BYLAWS

## Article I. NAME

The name of this organization shall be the Bryant Elementary Parent Teacher Organization, located in the city of Garden Grove, California in the hereafter referred to as Bryant Elementary P.T.O.

## Article II. PURPOSE

The purpose of the organization is to build a positive and supportive parent/school partnership, which works together to promote student success and enjoyment in school. The organization will raise money to support the educational program, special school activities and events, and to promote a warm and pleasant school environment. Additionally, the PTO will afford students and parents' opportunities to get involved in their community.

## Article III. POLICIES

The following are policies of the Bryant Elementary PTO:

### Section 3.01

The organization will be noncommercial, nonsectarian, and nonpartisan.

### Section 3.02

The name of the organization or the names of any member in their official capacities shall not be used to endorse or promote a commercial concern or in connection with any partisan interest or for any purpose not appropriately related to promotion of the objects of the organization.

### Section 3.03

The organization shall not – directly or indirectly – participate or intervene (in any way, including the publishing or distributing of statements) in any political campaign on behalf of, or in opposition to, any candidate for public office.

### Section 3.04

No part of the earnings of the organization shall inure to the benefit of, to be disputable to its members, directors, trustees or officers.

### Section 3.05

Expenditures in excess of \$500.00 other than curriculum study trips and assemblies will require approval of a majority vote at a general meeting.

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## Section 3.06

This PTO shall not assume any financial obligation in any one year that exceeds checkbook balance into the succeeding term.

## Section 3.07

Upon the dissolution of the organization, 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, or shall be distributed to the federal government, or to a state or local government, for a public purpose. Any such assets not disposed of shall be disposed of by the Court of Common Pleas of the county in which the principal office of the organization 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 IV. MEMBERSHIP & DUES

### Section 4.01

Membership shall include all faculty, classified staff, parents and guardians/or adult family member of children registered at Bryant Elementary School.

### Section 4.02

Dues are not required for membership, however donations may be solicited.

## Article V. GENERAL MEMBERSHIP MEETING

### Section 5.01

The PTO general membership meetings shall be held monthly except December. Members present will represent a quorum.

### Section 5.02

The PTO General meetings in May/June shall be the annual election meeting at which time officers shall be elected.

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## Article VI. OFFICERS

### Section 6.01

Each officer of the executive board of this PTO shall be a member of this PTO. These officers shall be elected (except the Principal).

### Section 6.02

The executive board shall transact necessary business between general meetings and such other business as may be referred to it by the organization. It may authorize the payment of bills and create committees as are deemed necessary to carry out the work of the organization. It shall present a report at the general meetings.

### Section 6.03

The executive board shall consist of a President, Vice President, Treasurer, Secretary, Staff Representatives and two Principals/or appointed designee.

### Section 6.04

The executive board shall meet once per month.

### Section 6.05

The officers, upon the expiration of their term of office, or in the case of resignation or removal, will turn over to their successors, without delay, all records, books, funds, and other material pertaining to the offices.

### Section 6.06

A simple majority of the executive board, 50% +1, must be present to hold a meeting.

## Article VII. ELECTION & APPOINTMENT OF OFFICERS

### Section 7.01

The officers shall be the members of the executive board. These officers shall be elected annually, by a simple majority of the members present and voting at the election meeting.

### Section 7.02

All officers shall serve a term of one year from July 1 to June 30.

### Section 7.03

A nominating committee consisting of 3 members (the President and two appointed members) plus two principal's designees shall make nominations. The chair shall be appointed by the President. The principal/appointed designee shall be one of the five members.

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## **Section 7.04**

Election of officers shall be held during the Open House PTO meeting. Voting shall be by written ballot except when there is only one candidate for an office.

## **Section 7.05**

No candidate shall be voted upon without his/her consent first being obtained.

## **Section 7.06**

The President with the majority approval of the executive board shall appoint vacancies of an office.

## **Section 7.07**

The president-elect may call meetings in June and August to organize committees to make plans for the coming year's work.

## **Section 7.08**

If an office remains unfilled after election, it shall be considered a vacant office to be filled by the board-elect.

## **Article VIII. DUTIES OF OFFICERS**

### **Section 8.01**

The president shall:

- (a) Coordinate the work of the officers and committees of the organization in order that the objects may be promoted.**
- (b) Preside at all meetings of the organization and executive board.**
- (c) Be an ex-officio of all committees except the nominating committee.**
- (d) Perform such other duties as may be prescribed by these bylaws or assigned by the organization.**
- (e) Shall work in conjunction with the Principal to create a monthly meeting agenda.**
- (f) Perform such other duties as may be delegated.**

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## Section 8.02

The Vice President shall:

- (a) Act as an aide to the president and preside at all meetings in the absence of the president.
- (b) Perform such other duties as may be delegated.
- (c) Coordinate the programs with the Principal.

## Section 8.03

The Secretary shall:

- (a) Keep an accurate record of the proceedings of all meetings of the organization and the executive board in a bound book which is the legal record of this PTO.
- (b) Be prepared to refer to minutes of previous meetings.
- (c) Prepare a list of all unfinished business for the use of the President.
- (d) Record all expenditures in the minutes.
- (e) Keep a current copy of the Bylaws and standing rules as well as updating changes, or amendments to bylaws, and provide a copy to each member of the executive board.
- (f) Perform such other duties as may be delegated.

## Section 8.04

The Treasurer shall:

- (a) Keep such permanent books of account and records as shall be sufficient to establish the items of gross income, receipts and disbursements of the organization. Such books of account and records shall at all reasonable times be open to inspection by any members, by appointment, of this organization.
- (b) Receive all monies for the organization, giving a receipt therefore, and deposit them in the name of the PTO in a bank approved by the executive board.
- (c) Receive and retain a copy of the deposit slip for any deposit made to the account of the PTO.

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- (d) Pay all bills as authorized by the executive board.
- (e) Secure two signatures on all checks. Any two of the following are authorized to sign: President, Vice President, and Treasurer. The authorized signers shall not be related by blood or marriage or reside at the same address.
- (f) Keep an accurate record of receipts and disbursements in a ledger which is a permanent record of this PTO. All other financial records must be retained for seven (7) years including the current year.
- (g) Keep the membership informed of expenditures as they relate to the budget, adopted by the organization.
- (h) Present a statement of account monthly to the executive board, and at other time when requested by the organization.
- (i) Be responsible for filling out and forwarding all necessary report forms required for insurance and for filing all tax returns and other forms required by government agencies.

## Section 8.05

The auditor shall:

- (a) Check the books by August 30 and report to the Board when completed.
- (b) Audits, and helps prepare financial reports. President signs.

## Section 8.06

The principal/appointed designee shall:

- (a) Advise the executive board/general meeting on procedures relating to school and district protocol and policies regarding PTO activities.
- (b) Serve as a member of the nominating committee.
- (c) Be an advisor to the president and can meet with the president prior to a meeting to discuss issues or procedures with which the officer is unfamiliar.
- (d) Conduct all necessary correspondence of the organization upon authorization of the president, executive board or organization.
- (e) Send out notices of executive board meetings to executive board officers.

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- (f) Can advise members on clarification of a procedure according to Roberts Rules of Order during meetings.

## Section 8.07

The Teacher/Staff Representative Shall:

- (a) Act as a liaison between their designated staffs and PTO

## Section 8.08

When an officer fails to attend (3) consecutive meetings without adequate excuse or is not fulfilling the responsibilities of the office as prescribed in the bylaws or standing rules, the executive board may by a two thirds (2/3) affirmative vote declare the office vacant.

## Article IX. COMMITTEES

### Section 9.01

There shall be such committees created by the executive board as may be required to carry on the work of the organization. The quorum for a committee meeting shall be a majority of its members.

### Section 9.02

The chair(s) shall be members of the PTO and shall be appointed by the president subject to ratification of the executive board.

### Section 9.03

The term of office for chair(s) shall be one year or until their assignment(s) is complete or until successors have been appointed.

### Section 9.04

The chairs shall present plans of work to the executive board for approval. No work shall be undertaken without the consent of the executive board.

### Section 9.05

When a chair fails to attend (3) consecutive meetings without adequate excuse or is not fulfilling his/her responsibilities as prescribed in these bylaws, the executive board by a two thirds (2/3) affirmative vote may declare the chairmanship vacant.

### Section 9.06

Upon the expiration of the term of offices, or in case of resignation or termination, each chair shall turn over to the president, without delay, all records, books and other material pertaining to the chairmanship.

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## **Section 9.07**

The executive board has the power to create special committees to carry out specific programs and projects.

## **Article X. AMENDMENTS**

### **Section 10.01**

Before adoption, all proposed amendments accompanied by the bylaws shall be submitted to the executive board for approval.

### **Section 10.02**

These bylaws may be amended by a two-thirds (2/3) vote at any executive board meeting provided that notice has been given at the previous meeting.

## **Article XI. CONFLICT OF INTEREST POLICY**

### **Section 11.01 Purpose**

The purpose of the Conflict of Interest Policy is to protect the Bryant Elementary PTO when it is contemplating entering into a transaction or arrangement that might benefit the private interest of an officer or member.

### **Section 11.02 Definition**

A person has a financial interest if the person has, directly or indirectly, through business, investment, or family has ownership or investment interest in any entity with which the Bryant Elementary PTO has a transaction or agreement. Compensation includes direct and indirect remuneration as well as gifts or favors.

### **Section 11.03 Duty to Disclose**

In connection with any actual or possible conflict of interest, an interested person must disclose the existence of the financial interest and be given the opportunity to disclose all material facts to the officers of the governing board considering the proposed transaction or arrangement.

### **Section 11.04 Determination of Conflict of Interest**

After disclosure of the financial interest and all material facts, and after discussion with the interested person, he/she shall leave the officers to discuss, determine, and vote upon whether a conflict of interest exists. The remaining officers shall decide if a conflict of interest exists.



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## **Section 11.05 Procedures for Addressing the Conflict of Interest**

The president shall, if appropriate, appoint a disinterested person or committee to investigate alternatives to the proposed transaction or arrangement.

- (a) After exercising due diligence, the officers shall determine whether Bryant Elementary PTO can obtain with reasonable efforts a more advantageous transaction from a person or entity that would not give rise to a conflict of interest.
- (b) If a more advantageous transaction or arrangement is not reasonably possible, under circumstances not producing a conflict of interest, the officers shall determine by a majority vote of the disinterested members whether the transaction is within the Bryant Elementary PTO's best interest, for its own benefit, and whether it is fair and reasonable. A decision shall be made as to whether to enter into the transaction or arrangement.

## **Section 11.06 Violations of the Conflict of Interest Policy**

- (a) If the officers of the PTO have reasonable cause to believe a member has failed to disclose actual or possible conflicts of interest, he/she shall inform the members of the basis for such belief and afford the member to explain the alleged failure to disclose.
- (b) Upon hearing the member's response, and making further investigation, the officer shall make a determination of the actual or possible conflict of interest. If necessary, the appropriate disciplinary and corrective action shall take place.

## **Article XII. Standing Rules**

### **Section 12.01**

At the beginning of his/her term of office, each member of the executive board shall be given a copy of these bylaws and shall be responsible for making a thorough study of them. A copy of these bylaws shall be made available to any member of the PTO general membership upon request.

### **Section 12.02**

At the first board meeting of the new term, the executive board shall approve and/or amend these bylaws prior to conducting any business. Each officer shall sign the "Adoption of Bylaws" page and make it a permanent part of that school term's bylaws.

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## Section 12.03

Any non-PTO material to be distributed at a general membership meeting must be approved by the principal prior to the meeting.

**NOTE:** Standing rules may be adopted by a majority vote at any PTO meeting. Amendments to standing rules require a 2/3 vote without previous notice or a majority vote with previous notice. Standing rules should be procedural rather than parliamentary and may not conflict with the bylaws.