


**BYLAWS OF THE
BEAR CREEK ELEMENTARY
PARENT TEACHER ORGANIZATION**

Established: October 2011
Revised: September 2018
Adopted: September 22, 2022



Melissa Groff, President

9/29/22
Date



Jacques Viau, Principal

9/23/2022
Date

Article I - Name

The name of the organization shall be the Bear Creek Elementary Parent Teacher Organization (PTO), herein referred to as the Bear Creek PTO.

Article II - Objectives and Policies

Section 1. Objectives.

The Bear Creek PTO is organized exclusively for charitable purposes to:

- a. Support the education of children at Bear Creek Elementary School by fostering relationships among the school, parents, teachers and community.
- b. Bring into closer relation the home and school, so that parents and educators may cooperate in the academic, physical, emotional and cultural education of the child(ren).
- c. Sponsor, host and/or participate in events and activities that promote a sense of community and/or support education within the school.
- d. Improve the environment at our school by providing students, teachers and school administration with time, volunteers and financial support.

Section 2. Policies.

- a. The Bear Creek PTO is organized exclusively for charitable purposes, including, for such purposes, the making of distributions to organizations that qualify as exempt organizations under section 501(c)(3) of the Internal Revenue Code, or the corresponding section of any future federal tax code.
- b. No substantial part of the activities of the Bear Creek PTO shall be the carrying on of propaganda, or otherwise attempting to influence legislation, and the Bear Creek PTO shall not participate in, or intervene in (including the publishing or distribution of statements) any political campaign on behalf of or in opposition to any candidate for public office. Notwithstanding any other provision of these articles, the Bear Creek PTO shall not carry 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 future 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 future federal tax code.
- c. No part of the net earnings of the Bear Creek PTO shall inure to the benefit or be distributable to any director, officer, member, or other private person, except that the Bear Creek PTO 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 the bylaws.

Article III - Members, Dues and Conduct

Section 1. Members.

- a. Any parent, guardian or other adult standing in loco parentis for a student at the Bear Creek Elementary School is considered a member and shall have voting rights.
- b. The principal, teachers and support personnel employed by the Bear Creek Elementary School are considered members and have voting rights.

Section 2. Dues. The Bear Creek PTO shall function on monies earned through fundraisers donations and/or endowments; dues shall not be required of members.

Section 3. Conduct.

- a. Any persons acting on behalf of this organization shall follow the same rules of behavior and conduct as EASD employees (as referenced in the EASD Support Staff Employee Handbook). Types of behavior and conduct that EASD considers inappropriate include, but are not limited to, the following:
 1. Theft or inappropriate removal of property
 2. Falsification of records
 3. Possession, distribution, sale, transfer or use of alcohol or illegal drugs on EASD property
 4. Fighting or threatening violence at a PTO-sponsored event
 5. Negligence or improper conduct leading to damage of District-owned or student-owned property
 6. Violation of health or safety rules
 7. Sexual or other unlawful harassment
 8. Possession of dangerous or unauthorized materials (such as explosives or firearms) while on District property
 9. Unauthorized use of telephones, computers or other District-owned equipment
 10. Involvement in criminal activity
- b. Any infraction of the above rules of conduct may result in disciplinary action by the Executive Board, including suspension or termination of PTO positions, and shall be decided by unanimous vote of the Executive Board. The subject of such disciplinary action shall not be permitted to vote.
- c. Should a member violate any rule of conduct, it is the responsibility of the Executive Board to notify that member of the infraction and of any resulting disciplinary action.

Section 4. Bylaw Availability. A copy of these bylaws shall be made available to Bear Creek PTO members upon request.

Article IV – Officers and Duties

Section 1. Officers.

- a. All members of the Bear Creek Elementary PTO are eligible to serve as officers.
- b. The officers shall be no more than two presidents (i.e., co-presidents), two vice presidents (i.e., co-vice presidents), one secretary and one treasurer.
- c. Officers shall assume their official duties at the final meeting of the current school year during which the election took place.
- d. Officers shall serve for a term of one (1) school year with a maximum of four (4) consecutive terms in the same office.

Section 2. Duties.

- a. **President.** The president (or co-presidents) shall share in the responsibilities and duties of the presidency. These include, but are not limited to:
 1. Schedule and preside over meetings of the organization and Executive Board.
 2. Prepare and distribute an agenda to the Executive Board prior to each meeting.
 3. Serve as the primary contact for the principal.
 4. Represent the organization at meetings outside of the organization.
 5. Serve as an ex-officio member of all committees except the nominating committee.
 6. Coordinate the work of all officers and committees so that the purpose of the organization is served.

- b. **Vice President.** The vice president (or co-vice presidents) shall share in the responsibilities and assist the president(s) to:
 - 1. Carry out the president's duties in his or her absence or inability to serve.
 - 2. Advise committee members at the direction of the president(s).
 - 3. Act as a liaison with school administrators to schedule assemblies.
- c. **Secretary.** The secretary shall:
 - 1. Keep all records of the organization.
 - 2. Take, record and distribute a copy of the minutes within two (2) weeks of the meeting.
 - 3. Handle correspondence.
 - 4. Send notices of meetings to the membership.
 - 5. Keep a copy of the minutes, bylaws and any other necessary supplies and bring them to meetings.
 - 6. Advise chairperson/s as directed by the president(s).
- d. **Treasurer.** The treasurer shall:
 - 1. Receive all funds of the organization.
 - 2. Keep an accurate record of receipts and expenditures.
 - 3. Pay out funds in accordance with the approved budget.
 - 4. Present a financial statement at every meeting and at other times of the year when requested by the Executive Board.
 - 5. Make a full report of the proposed budget (approved by Executive Board) at Parent Night at the start of the new school year in the fall.
 - 6. Prepare a tentative budget in May with the in-coming treasurer to be approved by the Executive Board prior to the first day of school and accepted by the General Membership at the first Bear Creek PTO meeting of the new school year.
 - 7. Advise chairperson/s as directed by the president(s).
 - 8. Deliver the organization's financial records no later than July 31, the close of the Bear Creek PTO fiscal year.
 - 9. File appropriate tax information with the Internal Revenue Service (IRS).
 - 10. An auditor shall examine the treasurer's accounts annually or an audit committee who, satisfied that the treasurer's annual report is correct, shall sign a statement of fact at the end of the report. This final report shall be presented to the executive board by the end of July. **The treasurer shall deliver all PTO treasury materials to successor within thirty (30) days after the annual audit is compiled.**

Article V - Executive Board

Section 1. **Membership.** The Executive Board shall consist of the officers and the principal.

Section 2. **Duties.**

- a. Transact necessary business, (items that cannot wait for an upcoming General meeting) in the intervals between regular meetings of the Bear Creek PTO and such other business as may be delegated to it by the organization.
- b. Create standing rules and policies.
- c. Present a report of its activities at the monthly PTO meetings, including all decisions and plans.
- d. Solicit the opinion of the general membership regarding program content and ideas.
- e. Approve or disapprove work plans of standing committees.
- f. Appoint an auditor or audit committee annually to audit the treasurer's accounts.
- g. Assist the treasurer in the preparation of the budget before it is presented to the

general membership during the school's Parent Night in the fall.

Article VI - Elections

Section 1. Nominations.

- a. Nominations by ballot will be held at the April General PTO meeting with nominations also being accepted from the floor.
- b. The nominating committee shall consist of a minimum of one person and a maximum of three (3) members.
- c. Nominations will also be accepted by the nominating committee after notification is sent to all members, until one week prior to the April meeting.
- d. A minimum of one nominee for each of the four (4) offices will be accepted (i.e., president, vice president, secretary, and treasurer).
- e. Nominations will be accepted only if a nominee consents, either orally or in writing, to serve.
- f. Ballots shall be counted by two (2) members of the PTO who are not seeking election. These members will be appointed by the nominating committee.
- g. Results will be announced as soon as they are known.
- h. Officers shall deliver to their successors all official material not later than thirty (30) days after the installation of their successors according to Article IV, Section 1c, unless special arrangements are made to the contrary.

Section 2. Vacancies.

- a. A vacancy occurring in an office shall be filled by a majority vote of the remaining members of the executive board.
- b. Should a vacancy occur in the office of the president, the co-president (if there is one) shall serve as the president; otherwise, the vice president or co-vice president shall serve as president.
- c. If there is a vacancy in any other office, members will fill the vacancy through an election at the next regular meeting.

Section 3. Removal From Office. Officers can be removed from office with or without cause by a two-thirds vote of those members present (assuming a quorum as per Article VII, Section 2a) at a regular meeting where previous notice has been given.

Article VII - Meetings

Section 1. Meetings.

- a. The regular meetings of the general membership shall generally be held once a month during the school year, or as determined necessary by the Executive Board.
- b. Meetings shall occur on a consistent basis (i.e., no less than once a trimester) in the Bear Creek Elementary School Media Center unless otherwise designated by the Executive Board. Meeting dates and times can be changed by the Executive Board by notifying the general membership a minimum of two (2) days in advance.
- c. A general membership meeting can be cancelled, postponed, and/or rescheduled if the Executive Board determines there is no new business to conduct or adverse weather or other extenuating circumstances preclude the scheduled meeting.
- d. All transacted business of this organization must be approved by either the Executive Board or a simple majority of those members present at a meeting.
- e. Suggested meeting format is as follows:
 1. Welcome/Introductions
 2. Approval of Minutes

3. Treasurer's Report
4. Principal's Comments
5. Teacher's Comments
6. Committee Reports
7. Old Business
8. New Business
9. Adjournment

Section 2. Quorum.

- a. Half the number of Executive Board members plus one constitutes a quorum.

Article VIII - Committees

Section 1. **Membership.** Committees may consist of general members and Executive Board members, with the president acting as an ex officio member of all committees.

Section 2. **New Committees.** New committees required to promote the objectives and interests of the organization shall be created by the Executive Board and approved by a vote at a monthly meeting.

Section 3. **Special Committees.** Special committees shall be created by the Executive Board for a specific time and/or task and shall cease to exist when that time or task has been completed.

Section 4. Chairperson Duties.

- a. Present plans of work to the Executive Board.
- b. Ensure that communications to the general membership or to faculty/staff at large be sent to the Executive Board, via Bear Creek PTO email for review and feedback. The principal shall review and approve said communications prior to distribution.
- c. Keep a written record of the activities and programs completed.
- d. Deliver to their successor's official materials at the close of their service.
- e. Recruit for his or her committee using a volunteer flyer sent home to all families at the beginning of the school year.
- f. Provide a signed copy of any and all contracts to the treasurer.
- g. Submit reimbursement forms within thirty (30) days of the completion of the event and no later than the last day of the school year.
- h. If unable to attend a scheduled meeting, provide a written or oral report to a member of the Executive Board at least twenty-four (24) hours prior to the meeting.

Section 5. Committee Duties.

- a. Each committee is responsible for his or her own communications (e.g. emails, flyers, notifications, forms, etc.).
- b. Each committee should maintain a record of plans and projects for use by subsequent committee members. A general event form will be available from the Executive Board and copies will be maintained in the PTO closet for future reference.
- c. Each committee that collects any money must count all monies on school property and forward to the Bear Creek PTO treasurer for deposit according to Article XI, Section 1.

Article IX - Finances

Section 1. **Annual Budget.** An annual budget shall be prepared by the Executive Board and presented to the general membership at the school's Parent Night in the fall.

Section 2. **Checking Account.** The Bear Creek PTO will maintain a checking account and two authorized signatures shall be required on each check: one shall be of the treasurer and the second shall be that from one of the other Executive Board members (i.e., president, vice president or secretary).

- a. Checks shall not be signed by the individual receiving the check if the amount exceeds \$500.
- b. The Bear Creek PTO is authorized to carry over funds for the following fiscal year as recommended by the Executive Board.

Section 3. **Fiscal Year.** The fiscal year of the Bear Creek PTO shall begin on August 1 and end the following July 31.

Section 4. **Field Trips.**

- a. The PTO will consider appropriating funds for field trips not funded by the school district according to the predetermined district field trip guidelines.
- b. The person in charge shall present an oral or written request to the Executive Board at least one (1) month in advance of the event (or as soon as possible for fall trips).
- c. A simple majority of the Executive Board and/or general members will constitute an approval.

Section 5. **Extracurricular Activities, Assemblies and Events.**

- a. The PTO will consider appropriating funds for extracurricular activities, assemblies and events.
- b. The person in charge shall present an oral or written request to the Executive Board at least one (1) month in advance of the event (or as soon as possible for fall trips).
- c. A simple majority of the Executive Board and/or general members will constitute an approval.

Section 6. **Records/Tax Records.** The treasurer shall keep accurate records of any disbursements, income and bank account information. Tax records include, but may not be limited to documents concerning expenses, receipts, accounting procedures, annual audit documentation and other documents concerning the Bear Creek PTO's revenue. Tax records should be retained for at least seven (7) years from the date of filing the applicable return.

Section 7. **Expense Approval.** All expenses of the Bear Creek PTO must further the objectives of our organization, as laid out in Article II, Section 1 of these bylaws and are limited in accordance with section 501(c)(3) of the Internal Revenue Code, or the corresponding section of any future federal tax code. The annual budget must reflect these limitations. The board may approve changes to the budget or additional expenses not to exceed \$500 with a simple majority vote.

Section 8. **Exempt Activities Limitation.** No part of the net earnings of the Bear Creek PTO shall inure to the benefit or be distributable to any director, officer, member, or other private person, except that the Bear Creek PTO 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 these bylaws.

Article X - Conflict of Interest Policy

The organization shall adopt and periodically review a conflict of interest policy to protect the interest of the Bear Creek PTO when it is contemplating any transaction or arrangement which may benefit any member of the Bear Creek PTO.

Article XI - Collection of Funds

Section 1. **Event Monies.** All monies must be collected in advance of any product leaving the school (e.g., fundraiser products, book fairs, etc.).

- a. If the treasurer is unavailable at the close of school or the end of the event, the monies collected are to be given to the school secretary or principal to be secured in school and retrieved by the treasurer for deposit.
- b. No monies are to leave the school property by any member other than the treasurer or president.

Section 2. **Checks.** All checks should be made payable to "Bear Creek PTO".

Section 3. **Returned Checks.** Any checks returned by the bank due to insufficient funds or a closed account will be processed with the following procedures:

- a. The treasurer shall contact the payer in an attempt to collect the funds plus any incurred charges.
- b. If no resolution, the treasurer will resubmit the check unless marked "do not submit".
- c. If the check is returned again, the treasurer shall contact the payer and request the amount of the issued check plus incurred fees at the discretion of the executive board within five (5) school days. This contact information should be recorded in case further processing is required.
- d. If the money is not received within the five (5) allotted days, the PTO president should be notified and he/she shall write a letter to the parents indicating that this money must be received by the PTO president within ten (10) calendar days or the bad check will be turned over to the District Justice for further processing.
- e. The letter must be certified with a return receipt. A copy of the letter and the return receipt shall be filed.
- f. If the money is not received, a copy of the bad check along with a copy of the certified letter and the return receipt shall be submitted to the District Justice for processing. All steps shall be taken through the District Justice in order to collect the funds.

Article XII - Changes to the Bylaws

Section 1. **Amendments.** These bylaws may be amended at any regular meeting of the general membership by a two-thirds majority vote of the members present.

- a. All proposed amendments shall be presented in writing to the Executive Board one month prior to the general membership meeting.
- b. Upon Executive Board approval, the proposed amendment information shall be made available on the Bear Creek PTO website at least two (2) weeks prior to the general membership meeting.
- c. Voting on the proposed amendments will occur at the general membership meeting after subsections **a** and **b** above have taken place.
- d. These bylaws may be amended at any regular meeting of the organization by a two-thirds (2/3) vote of the members present, provided notice of the proposed amendment was given at the previous meeting.

Section 2. **Revisions.** A committee may be appointed to submit a revised set of bylaws as a substitute for these bylaws. The revisions will be accepted only by a major vote at a meeting of the PTO or by a two-thirds (2/3) vote of the Executive Board.

Article XIII - Parliamentary Authority

Robert's Rules of Order shall govern meetings when they are not in conflict with the organization's bylaws.

Article XIV - Dissolution

Section 1. **Dissolved.** The organization may be dissolved with previous notice (14 calendar days) and a two-thirds vote of those present at the meeting.

Section 2. **Funds.** Upon the dissolution of the Bear Creek PTO, any funds and assets remaining after payment of any debts or liabilities must be immediately distributed to a non-profit fund, foundation or corporation which is organized and meets the exempt purposes set forth in section 501(c)(3) of the Internal Revenue Code, or the corresponding section of any future federal tax code. The Board will consider distribution of unused funds to the Bear Creek Student Activity Fund, which is available for the benefit of all Bear Creek Elementary School students, providing it meets the criteria set forth in section 501(c)3 of the Internal Revenue Code.