

# BY-LAWS

## HANCE ELEMENTARY SCHOOL PARENT TEACHER ORGANIZATION

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### Article I. Name

The name of the organization is the Hance Elementary School Parent Teacher Organization, hereinafter, referred to as the HPTO. Hance Elementary School (HES) is in the Pine-Richland School District, Richland Township and Allegheny County, Pennsylvania. The mailing address is 5518 Molnar Drive, Gibsonia, PA 15044.

### Article II. Purpose

The HPTO's purpose is to support the education of students at HES by fostering relationships among the school, parents and teachers.

The HPTO is a volunteer organization of parents and teachers and shall be noncommercial, nonsectarian and nonpartisan. The name of the Organization or the names of any members in their official capacities shall not be used in any connection with a commercial concern or with any partisan interest or for any other purpose than the regular work of the Organization. The Organization shall not directly or indirectly participate or intervene in any political campaign on behalf of or in opposition to any candidate for public office.

### Article III. Membership

All HES Parents, Guardians, Teachers, and/or Administrators are eligible to be members of the HPTO if they are willing to uphold its basic policies and subscribe to its Bylaws.

### Article IV. Officers

#### Section 4.01 Composition

- (a) President
- (b) Vice-President and Co-Vice President
- (c) Secretary
- (d) Treasurer and Co-Treasurer

#### Section 4.02 Qualifications

Any member in good standing at least 60 days prior to the presentation of the slate of candidates may serve as an officer. Nominees to the office of president must also have served for at least one (1) year in any

capacity on a HPTO executive board in the last fiscal year or as a HPTO committee chairperson in the last fiscal year. All other officer positions can be filled by any member of the HPTO willing to serve having had prior volunteer experience on any HPTO Committee in the last fiscal year. If there is still vacancy for board position during the nomination period, special consideration will be considered.

Members in good standing of the Hance PTO are those who abide by the current bylaws and have not received disciplinary action or letters by the school district in the last two years.

### **Section 4.03 Terms of Office**

The Officers shall be elected for a term of two-years, commencing on July 1<sup>st</sup> and running until June 30<sup>th</sup> of the following year. Each person elected shall hold only one office at a time.

### **Section 4.04 Duties of Officers**

#### **(a) President**

- 1) Preside over all meetings of the HES and the Executive Board;
- 2) Serve as the primary point of contact for the principal;
- 3) Represent the organization at meetings outside of the organization;
- 4) Carry out the policies and resolutions of the HPTO as determined by the membership;
- 5) Coordinate the work of all the officers and committees so that the purpose of the organization is served; and,
- 6) The President shall be an authorized signer on the organization's bank account

#### **(b) Vice President**

- 1) Coordinate the marketing and communication to the HPTO membership;
- 2) Oversee and coordinate all the HPTO committees and volunteers to ensure student enrichment is fulfilled;
- 3) Perform all duties of the President in the event that the President is absent, unable or unwilling to perform such duties;
- 4) Assist the President in the discharge of his/her duties.

#### **(c) Secretary**

- 1) Take minutes at all meetings of the HPTO and Executive Board and make minutes available for review by the members of the HPTO monthly online;
- 2) Keep an accurate roster of Officers
- 3) Maintain HPTO Website monthly;

#### **(d) Co-Treasurers**

- 1) Keep a complete record of HPTO income and expenditures;
- 2) Receive and account for all monies of the HPTO, and reconcile monthly bank statements;

- 3) Pay all HPTO bills incurred by check or online e-check payment;
- 4) Co-sign all HPTO checks; If one treasurer signs the check, a President must co-sign;
- 5) Give a cash-basis financial report at all HPTO General Meetings;
- 6) Prepare a final annual balance sheet and year-to-date income statement and a final Treasurer's report for presentation at the first general meeting of the immediately following fiscal year;
- 7) Facilitate obtaining cash advances for committees that require a cash advance;
- 8) Provide monthly budget online;
- 9) Act as primary contact for committee chair questions on budget and historical expenditures;
- 10) Create financial reports for committees as requested by the Board or a Committee Chair.
- 11) Prepare a tentative budget to be presented at the final May meeting; and,
- 12) Cannot self-reimburse an expense.

### **Section 4.05          Vacancies**

A vacancy occurring in any office, except the Presidency, shall be filled until the next annual election, by a person appointed by a majority vote of the Officers. In case a vacancy occurs in the office of the President, during the fiscal year, a Vice President appointed by a majority of the Secretary and Co-Treasurers shall serve as President for the remainder of the term. If a vacancy occurs during an election year, a special election must take place for a new President. In the event that a Vice President cannot serve as President, a special election will be held as soon as practicable to select a new President. Nothing in these by-laws shall preclude a Vice-President who has assumed the duties of the President pursuant to this provision from seeking election as President at the next available election for that office.

In the event an officer steps down, the officer has 48 hours to turn over their passwords and documents to the newly appointed officer.

## **Article V.    Executive Board**

### **Section 5.01          Composition**

The Executive Board shall consist of the President or Co-Vice Presidents, Secretary, and Co-Treasurers.

### **Section 5.02          Duties of the Executive Board**

- 1) Transact business of the organization between meetings of the general membership;
- 2) Create standing rules and policies;
- 3) Create standing and special committees as it deems necessary to carry on the business of the HPTO;
- 4) Treasurer shall prepare and submit for approval a final proposed budget in May to the general membership for vote.;
- 5) Arrange for an annual review for the financial records of the HPTO each June;
- 6) Provide oversight and direction to the Committees formed to conduct the business of HPTO
- 7) Prepare reports and recommendations to the general Membership.

## **Section 5.03 Meetings**

The Executive Board shall meet prior to each general meeting and at any other time deemed necessary by the President. A majority of Officers shall constitute a quorum. Special meetings may be called by any two Executive Board members, with 24 hours' notice.

## **Article VI. Nominations and Elections**

### **(a) Nominations**

In February of each year, nominations will be open for HPTO Officers for the following school year. Only members of the HPTO shall be eligible to serve in any elective or appointive positions. Nominations shall be made at the nearest general meeting or by way of online nominations no later than March 15. Any qualified member may self-nominate by notifying a member of the Executive Board via electronic ballot. The slate will be published in the Friday Flash at least three days prior to commencement of the election.

### **(b) Elections**

The election shall take place via electronic ballot for a period of 72 hours, and the results shall be published in the Friday Flash that week. The elections will be held such that the newly elected officers will be announced at the last General Meeting of the HPTO fiscal year. Members of the Executive Board *not on the ballot* will preside over the elections.

The election shall be held no later than April 15 by electronic ballot prior to the last General Meeting of the HPTO fiscal year. Voting must be open for at least 72 hours. The details of the election process will be announced and publicized no less than 14 days prior to the last General Meeting of the HPTO fiscal year. If there is more than one candidate for an office, the winner will be determined based on a simple majority of the number of votes cast, as long as at least 10 votes are cast by members other than the Executive Board.

### **(c) Transition of New Officers**

Newly elected officers SHALL shadow the current board to become familiar with the positions they are transitioning into from the date of the election results until July 1st. The current officer SHALL educate newly elected officers on policies and procedures including the Constitution and Bylaws of the Hance Elementary PTO. Transitioning board will collaborate with the current/outgoing board to generate the next fiscal year's event calendar. The incoming treasurer will work with the outgoing treasurer to formulate a budget for the next fiscal year.

### **(d) Ethics policy**

1) All Executive Board members, PTO members, and Committee Chairpersons are expected to behave in a professional manner, include any volunteers who want to be part of their committees, and follow the PTO bylaws.

2) A person who has been asked to step down , has been removed from any position within the organization or has received a disciplinary letter from the school district forfeits the right to serve in any position for a 2 year period, including on the Board.

## **Article VII. Meetings, Voting and Quorum**

### **(a) Meetings**

- 1) There shall be regular meetings of the HPTO during the school year (“General Meetings”) as determined by the Executive Board. No less than five General Meetings will be held during the organization’s fiscal year.
- 2) There will be approximately four HPTO-Teacher Liaison meetings held a year. Executive board members meet with grade level representatives to review past and upcoming events, as well as gather feedback from staff.
- 3) Members shall be notified of a General Meeting at least three days prior to such a meeting via Friday Flash.
- 4) Special meetings may be called by five general members submitting a written request to the secretary. Notice of the special meeting shall be sent to the members at least 10 days prior to the meeting.
- 5) Special meetings may be called by any two Executive Board members, with 24 hours’ notice.
- 6) A transitional General Meeting shall occur before June 30 with the current Executive Board members and the up-coming Executive Board members.

### **(b) Voting**

The voting body shall be the members in good standing. Voting may take place by members present at any general, annual or special meetings properly called by the President and at which a quorum exists. Voting may also be held electronically as duly determined and published. A majority vote is required to pass a motion.

### **(c) Quorum**

Three members, excluding Officers, shall constitute a quorum for the transaction of business at a General Meeting. Majority vote of the members present is required to pass a motion.

## Article VIII. Committees

### Section 8.01 Committee Membership

Committees may consist of HPTO members and HPTO Officers, with one HPTO Executive Board member serving as an ex officio member of all committees. No additional spending money will be given over the pre-approved budget to any committee without prior approval from the HPTO Executive Board.

#### (a) Chairperson Duties

Make reports to the Board and at General Meetings, as needed; (b) Keep complete and accurate financial records of the Committee; and (c) Maintain a file with records describing the work of the Committee that may be used to help guide future Chairpersons; such file to include electronic records to be provided to the new Chairperson by the beginning of the school year.

#### (b) Budget

No additional spending money will be given over the pre-approved budget to any committee without prior approval from the HPTO Executive Board. Reimbursements without approval from the board will not be given. All reimbursements must be submitted within 30 days of the event.

### Section 8.02 Standing Committees

The following standing committees shall be held by the organization: Nominating and Audit.

### Section 8.03 Ad-Hoc Committees

The Executive Board may appoint special committees as needed. The special committees will make a report to the Executive Board and at General Meetings as needed.

## Article IX. Finances

### Section 9.01 Fiscal Year

The fiscal year shall begin on July 1<sup>st</sup> and end on the following June 30<sup>th</sup>.

### Section 9.02 Budget

Each May, the Executive Board shall present a tentative budget for the next fiscal year for approval by way of email. All HPTO members may review and suggest changes to the Budget. At the last General Meeting in May, the Executive Board shall present a final budget for approval, with detailed reporting of changes proposed from members. Majority vote of the members in attendance at the last General Meeting in May will approve the budget.

#### (a) Expenditures

- 1) Any expenditure not covered in the budget, or in excess of the budget, of \$500 or less, must be approved by the board.

- 2) Any expenditure not covered in the budget, or in excess of the budget, of \$501 or more, must be approved by the general members of the HPTO by a majority vote.
- 3) All committees in need of petty cash shall submit a Cash Withdrawal form to the Treasurers no later than one week prior to their event. Any committee in need of cash at an event shall reconcile their cash boxes with an HPTO Treasurer present;
- 4) A Board Member may not write or sign their own reimbursement checks;
- 5) All expenditures must be documented with receipts. All receipts must be submitted to the treasurer within 30 days of the event.
- 6) No reimbursements will be made after the end of the fiscal year without prior approval of the officers;
- 7) Expenditures may be paid by check or by way of electronic check directly from the HPTO Bank Account;
- 8) Committees must keep accurate sales records (“inventory”) for all transactions.
- 9) Funding for New Program purchases shall be determined on an annual basis by the HPTO Executive Board. The Board’s decision shall be based on the financial state of the HPTO at the close of the previous fiscal year as well as consideration of both projected and actual income and expenses for the current year, with the understanding that an appropriate cash reserve be maintained.

### **Section 9.03      Fiscal Planning**

In June, the minimum amount of \$15,000 shall be set aside for operating capital for the following school year.

### **Section 9.04      Expenditures**

Any expenditure not covered in the budget or in excess of the budget of \$500 or less must be approved by a vote of the Executive Board. Any expenditure not covered in the budget or in excess of the budget by greater than \$501 must be evaluated by the Executive Board and a recommendation regarding the expenditure will be presented at a General Meeting for approval by the majority vote of the members present at the meeting.

### **Section 9.05      Check Signing**

Checks drawn on the HPTO bank account shall be signed by the co-treasurers or one treasurer and the president. Both the treasurer and president are expected to be on the bank account at all times. Any outlay of funds by the HPTO must be documented with receipts or appropriate documents by the purchasers. All receipts should be submitted to the treasurer within 30 days of the event. No reimbursements will be made after the end of the fiscal year without prior approval of the officers.

### **Section 9.06      Audit**

A review shall be conducted annually, by June 30, by an independent auditor. No member(s) of the HPTO, who have access to HPTO funds, shall directly or indirectly approve or disapprove HPTO expenses during the annual audit. All findings and documentation will be turned into the School District by the independent auditor no later than September 15, including the following information:

- Listing of officers names, address, email and contact phone number

- Copy of By-Laws if any changes have been made
- Copy of Budget/Actuals
- Copy of Signed Audit
- FDIC Banking Information
- Fundraising Information

## **Section 9.07 Tax Filing**

Form 990N must be electronically submitted to the IRS in July of each year. Form 990N is required for non-profit organizations that gross receipts are \$50,000 or less.

## **Article X. Dissolution of the HPTO**

The HPTO may be dissolved with 14 days calendar notice and a two-thirds vote of those present at the meeting. If the disbandment is temporary, any remaining funds in the Treasury shall be held in an escrow account, administered by the Principal of Hance Elementary School, until such time as a new HPTO is established, at which time the funds shall be returned to the control of the HPTO Executive Board. If the disbandment is permanent, the funds shall be spent within two calendar years of disbandment on purchases which directly benefit the students and teachers of HPTO at the direction of the Principal. All disbursements shall be made in accordance with the provisions of Internal Revenue Code Section 501(c)3 to Hance Elementary, a 501(c)3 organization.

## **Article XI. Parliamentary Authority**

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

## **Article XII. Bylaws**

These Bylaws shall become effective as of the date they are adopted by a majority vote of the members present and entitled to vote at a General Meeting in which a quorum exists. These Bylaws may be amended in whole or part by a two-thirds vote of the members (Parents and Faculty) present and entitled to vote at a monthly general meeting, provided written notice of the proposed amendment is provided 3 days before the vote. A copy of the proposed amendments shall be available for review on the Pine-Richland e-newsletter or upon request. Any member in good standing of the HPTO may submit, in writing, to the Executive Board, a proposed amendment to the Bylaws.

## **Article XIII. Amendments**

- 1) Any member of the HPTO may submit in writing to the Executive Board a proposed amendment to the bylaws.
- 2) These bylaws may be amended at any General Meeting or special meeting providing that previous notice was given at the prior meeting in writing and then sent to all members of the organization by the secretary. Notice may be given by US mail, e-mail or fax.
- 3) Amendments will be approved by a two-thirds (2/3) vote of those present assuming a quorum.
- 4) The bylaws shall be reviewed no less frequently than every three years by the Executive Board.



## **Article XIV. Removal From Office**

Officers or Committee Chairpersons may be removed from office for any of the following causes.

- 1) Misappropriation of HPTO funds;
- 2) Unwillingness to follow or uphold the policies described in these Bylaws;
- 3) Entering into contracts or other legal agreements without prior approval of the Officers or the Membership, as appropriate;
- 4) Abandonment of duties;
- 5) Improper conduct, violation of the school policies, or violations of the law. or;
- 6) Not adhering to our Code of Ethics.

Requests for removal of Board Members or Committee Chairpersons shall be submitted in writing and presented to the Officers by those individuals requesting such action. The Board Member(s) not under investigation shall investigate such requests at a special meeting to be attended by the individuals bringing such request and the person being considered for removal. In the event that more than one Board Member is under investigation, a Special Ad-Hoc Committee shall be convened to conduct the investigation. The Board Members or Special Committee shall then deliberate in private and vote on the requested removal. Removal requires a majority vote. Notice of removal shall be made in writing to the individual concerned.

## **Article XV. Record Retention**

The HPTO follows the document retention procedures outlined below. Documents that are not listed, but are substantially similar to those listed in the schedule, will be retained for the appropriate time.

### **Section 16.01          Records**

- a) Annual Reports to Secretary of State/Attorney General Permanent
- b) Articles of Incorporation Permanent
- c) Board Meeting and Board Committee Minutes Permanent
- d) Board Policies/Resolutions Permanent
- e) Bylaws Permanent
- f) Construction Documents Permanent
- g) Fixed Asset Records Permanent
- h) IRS Application for Tax-exempt Status (Form 1023) Permanent IRS Determination
- i) Letter Permanent
- j) State Sales Tax Exemption Letter Permanent
- k) Contracts (after expiration) 7 years
- l) Correspondence (general) 3 years
- m) Adoption and shipment records Permanent

### **Section 16.02          Accounting and Corporate Tax Records**

- a) Annual Audits and Financial Statements Permanent
- b) Depreciation Schedules Permanent
- c) IRS Form 990 Tax Returns Permanent
- d) General Ledgers, 7 years
- e) Business Expense Records, 7 years

- f) IRS Forms 1099, 7 years
- g) Journal Entries, 7 years
- h) Invoices, 7 years
- i) Sales Records (box office, concessions, gift shop), 5 years
- j) Petty Cash Vouchers, 3 years
- k) Cash Receipts, 3 years
- l) Credit Card Receipts, 3 years

### **Section 16.03      Bank Records**

- a) Check Registers, 7 years
- b) Bank Deposit Slips, 7 years
- c) Bank Statements and Reconciliation, 7 years
- d) Electronic Fund Transfer Documents, 7 years

### **Section 16.04      Donor and Grant Records**

- a) Donor Records and Acknowledgment Letters 7 years
- b) Grant Applications and Contracts 7 years after

### **Section 16.05      Legal, Insurance and Safety Records**

- a) Appraisals Permanent
- b) Copyright Registrations Permanent
- c) Environmental Studies Permanent
- d) Insurance Policies Permanent
- e) Real Estate Documents Permanent
- f) Stock and Bond Records Permanent
- g) Trademark Registrations Permanent
- h) Leases 6 years after expiration
- i) OSHA Documents 5 years
- j) General Contracts 3 years after termination
- k) Communications and President's records
- l) President's diary Permanent
- m) Communications to National Permanent

### **Section 16.06      Electronic Documents and Records**

Electronic documents will be retained as if they were paper documents. Therefore, any electronic files, including records of donations made online, that fall into one of the document types on the above schedule will be maintained for the appropriate amount of time. If a user has sufficient reason to keep an e-mail message, the message should be printed in hard copy and kept in the appropriate file or moved to an "archive" computer file folder. Backup and recovery methods will be tested on a regular basis.

### **Section 16.07      Emergency Planning**

Records will be stored in a safe, secure, and accessible manner. Documents and Financial files that are essential to keeping the HPTO operating in an emergency will be duplicated or backed up at least every week and maintained offsite.

### **Section 16.08 Document Destruction**

Treasurer is responsible for the ongoing process of identifying its records, which have met the required retention period, and overseeing their destruction. Destruction of financial and personal related documents will be accomplished by shredding. Document destruction will be suspended immediately, upon any indication of an official investigation or when a lawsuit is filed or appears imminent. Destruction will be reinstated upon conclusion of the investigation.

### **Section 16.09 Compliance**

Failure on the part of members, officers, directors and or volunteers to follow this policy can result in possible civil and criminal sanctions against the HPTO and possible disciplinary action against responsible individuals. The Audit and Finance committee chair will periodically review these procedures with legal counsel or the organization's certified public accountant to ensure that they are in compliance with new or revised regulations.

## **APPENDIX B DECLARATION OF ADOPTION**

Under penalties of perjury, we declare that we to the best of our knowledge and belief, state that the copy of the Bylaws we are submitting is a complete and correct copy of the original with documented changes and that the original was signed by at least two officers and adopted by vote of members at the general meeting of the HPTO on January 10, 2024.

Jessica Taylor , President Hance Elementary School Parent Teacher Organization 2023-2024

Signed:

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Emilie Geta, Vice-President Hance Elementary school Parent Teacher Organization 2023-2024

Signed:

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Jen Gebrosky, Treasurer Hance Elementary School Parent Teacher Organization 2023-2024

Signed:

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Michael Barber, Secretary Hance Elementary school Parent Teacher Organization 2023-2024

Signed:

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