

BYLAWS
OF
JOSEPH SIMS ELEMENTARY SCHOOL
PARENT TEACHER ORGANIZATION

- A California Nonprofit Public Benefit Organization -

ARTICLE I

ORGANIZATION NAME

The name of this organization shall be JOSEPH SIMS ELEMENTARY SCHOOL PARENT TEACHER ORGANIZATION (hereafter “the organization”). SIMS PTO is an acceptable abbreviation of the organization name.

ARTICLE II

ORGANIZATIONAL OBJECTIVE

The primary objective of the organization is to promote a unified and enriching educational atmosphere by bringing together parents, guardians, students, teachers and other school staff with meaningful activities, events, and fundraising efforts.

ARTICLE III

USE OF NAMES

This organization shall be and forever remain non-sectarian, non-commercial, and non-partisan. No commercial enterprise or any political candidate shall be endorsed by it, nor shall any such entity hold itself out as being endorsed or promoted by it. Neither the name of the organization nor its officers, in their organizational capacities, shall be used in connection with any commercial

concern or with any partisan affiliation for any purpose outside of the regular work of the organization.

ARTICLE IV

DEFINITIONS OF TERMS

“OFFICER” means the offices of President, Vice President, Secretary, and Treasurer. The offices of President, Vice President, and Secretary may be team positions shared by up to two (2) persons. The officer positions are all elected to terms not to exceed two (2) consecutive years.

“BOARD MEMBER” or “DIRECTOR” means any elected officer, site Administration (or designee), or committee chairperson.

“COMMITTEE CHAIRPERSON” means any person designated by the President to head a standing committee or other specially formed committee.

“MEMBER IN GOOD STANDING” means any individual or family who has paid the required annual dues.

ARTICLE V

MEMBERSHIP

1. Definition of Member

Membership is open to any parent/guardian of a child currently attending Sims Elementary or expected to attend in the upcoming school year. Any immediate family living in one to two households may join the organization under one membership, with one dues payment annually. For example, if a student’s parents do not reside in the same household, only one payment of dues is required for both parents to become members in good standing.

Membership is also open to any teacher, administrator, or staff member of Sims Elementary, for their period of employment at or on the campus of Sims Elementary.

A new member of the organization may join and be recognized in good standing by paying the required annual dues, without proration, at any time during the school year.

2. Annual Dues

Annual dues for membership are established by the Board of Directors annually, with any change in dues to be announced no later than July 1 of said school year.

At the beginning of each school year, including Back-to-School Night events, the Vice President will Chair a committee to plan, advertise, and support a membership drive for the school community.

3. Voting

Members in good standing are entitled to one vote at any meeting of the membership. Members must be physically present to exercise the right to vote.

The Board of Directors may, at its discretion, induct honorary members of the organization. Honorary members shall have no voting rights.

The Board of Directors reserves the right, at its discretion, to induct new members to the organization without the payment of dues, for the purpose of including members whose financial hardship would otherwise preclude them from joining and participating fully in the organization. The determination of financial hardship shall be made by the then-acting principal of Joseph Sims Elementary. Any member offered a waiver of annual dues shall enjoy all rights and privileges of a member in good standing. Any member or prospective member may be considered for a waiver of dues by written request to the then-acting principal of Joseph Sims Elementary.

ARTICLE VI

OFFICERS AND COMMITTEE CHAIRPERSONS

The powers of administering the organization shall be vested in the Board of Directors, which shall consist of the elected officers, site Administration (or designee) and others as determined by the elected officers. All directors must be members in good standing for the entire duration of the term served.

Committee chairpersons shall be appointed by the President upon the approval by the elected officers. Special committees shall be formed and committee chairpersons selected as needed as the Board of Directors deems necessary to carry out the organization's objectives. Each such committee shall serve at the pleasure of the Board of Directors.

1. Nomination & Election Committee

Not later than March 31 of each year, the Board of Directors shall approve and appoint a committee to conduct the nomination and election procedures for open Board positions for the following school year. Procedures shall include the process for communicating open positions and nomination process with the school community. Nominees must be a current member and have attended three (3) general meetings before election date AND co-chair or be part of a committee. This committee shall report to the Board of Directors at the April membership meeting, at which time the nomination of new officers shall be made by meeting attendees. All nominees must be present or give their consent in writing to a nomination in advance of the meeting.

The Vice President is always a member of the Nomination & Election Committee.

2. Election Procedures

The filling of vacancies among elected officers shall occur by election by the members in good standing no later than the May membership meeting of each year. The offices of President, Vice President, Secretary, and Treasurer must be elected by ballot. The candidate receiving the most votes shall win the seat; a majority is not required. Each officer shall be voted upon separately. The sitting elected officers shall hand off the duties and share information to the incoming officers during either the June membership meeting or June Board meeting of the then-current school year.

3. Filling of Vacancies in Board of Directors

Any vacancy occurring in the Board of Directors between regular elections shall be filled by majority approval of the remaining Board of Directors. The nominee for any office to be filled must consent in writing to the nomination before consideration of the nominee by the Board of Directors.

ARTICLE VII

MEETINGS

1. General Membership Meetings

Regular meetings of the general membership of the organization shall take place not less than seven (7) times throughout each school year, spaced at roughly equal intervals throughout the school year, on dates and times to be determined and announced in advance of the upcoming school year by the Board of Directors.

The expectation is for officers to attend 75% of board meetings and 75% of general membership meetings.

2. Quorum

“General Membership Meeting” - Three (3) members in good standing, and two (2) officers shall constitute a quorum.

“Board of Directors Meeting” - Three (3) officers shall constitute a quorum.

3. Board Meetings

Regular Board of Directors meetings shall be held not less than six (6) times throughout each school year, spaced at roughly equal intervals throughout the school year, on dates and times to be determined by the President and ratified in advance by the Board of Directors at an early date each school year, but not later than August 31.

Any member in good standing may attend any regularly scheduled Board of Directors meeting.

Special meetings of the Board of Directors, intended for sparing and emergency use only, may be called by the President with at least two (2) days' written or electronic communication notice to the Board of Directors.

ARTICLE IX

DUTIES OF BOARD OF DIRECTORS

1. President

The President provides oversight to organization committees and initiatives and serves as the official representative of the organization. The President shall preside at all meetings or ask a Vice President to preside at any meeting the President cannot attend. The President acts as an *ex officio* member of all committees except the Nomination & Election Committee. Two Presidents may serve simultaneously.

2. Vice President

The Vice President, in the order designated by the Board of Directors, or in the absence of any designation, then in the order of their election, during the absence or disability of or refusal to act by the President, shall perform the duties and exercise the powers of the President and shall perform such other duties as the Board of Directors shall prescribe. The Vice President additionally shall act as aide to the President. The Vice President shall share *ex officio* committee responsibilities with the President. Two Vice Presidents may serve simultaneously.

The Vice President shall act as Chair of the Membership committee.

3. Secretary

The Secretary shall keep an accurate record of the proceedings of all meetings. The Secretary shall prepare agendas for organization meetings and distribute the agenda (or post it on the organization's website) no later than the Friday preceding the upcoming meeting. The Secretary shall notify members of all meetings and shall receive and answer all correspondence and communications. The Secretary shall post all meeting minutes/proceedings in a PTO shared electronic binder, and notify the Board of Directors within seven (7) days following each meeting. Two Secretaries may serve simultaneously.

4. Treasurer

The Treasurer shall receive all money belonging to the organization and give receipts therefor. The Treasurer shall timely pay all obligations of the organization. All checks issued on an account of the organization shall require two (2) signatures. The Treasurer shall balance the organization checkbook and give a financial update at each regular Board of Directors meeting.

The Treasurer shall:

- 4.1 maintain custody of all funds of the organization as outlined in Appendix 1 Financial Guidelines
- 4.2 maintain complete and accurate accounts of receipts and disbursements in the books and records,

- 4.3 maintain and share with the Board of Directors a physical and “live electronic binder” including reports, bank statements, annual tax submissions, etc.
- 4.4 deposit all funds in the name, and to the credit, of the organization,
- 4.5 disburse the funds of the organization upon authorization of the Board of Directors,
- 4.6 present a brief statement of financial condition of the organization at each General Meeting of the members and the Board,
- 4.7 present a complete and accurate accounting, not less than once a trimester, of all financial transactions incurred by the organization and a report on the financial condition of the organization,
- 4.8 prepare the financial books for audit and maintain all financial records for no less than seven (7) years,
- 4.9 file all required tax forms and other financial forms, whereupon the Board of Directors shall have the opportunity to review and approve them before submission,
- 4.10 prepare a PTO annual school-year budget with feedback and input provided by the President, Vice President, Secretary, and site administration (or designee) for adoption by the membership, and
- 4.11 present the PTO annual school year budget to the general membership at a regular general membership meeting.

Please refer to Appendix 1 for additional guidelines.

Timekeeping

One Director shall be responsible for timekeeping at each meeting. This responsibility may be rotated through the body of the Board of Directors.

5. Other Officers

The Board of Directors may appoint such other officers and agents as it shall deem necessary who shall hold their offices for such terms and shall exercise such powers and perform such duties as shall be determined from time to time by the Board.

6. Resignations

Any Director of the organization may resign at any time by giving written notice to the Board of Directors, or to the President, or to the Secretary of the organization. Such resignation shall take effect at the time specified therein; and unless otherwise specified therein the acceptance of such resignation shall not be necessary to make it effective. Resignations will be noted in the general meeting minutes.

7. Removal of Directors

Any one or more of the Directors may be removed for cause by action of the Board of Directors. Any or all of the directors may be removed with or without cause by vote of the members.

8. Newly Created Directorships and Vacancies

Newly created directorships resulting from an increase in the number of directors and vacancies occurring in the Board of Directors for any reason except the removal of directors by members may be filled by vote of a majority of the directors then in office, even though less than a quorum exists. Vacancies occurring as a result of the removal of directors by members shall be filled by the members. A director elected to fill a vacancy shall be elected to hold office for the unexpired term of his or her predecessor.

9. Compensation of Directors

The Board of Directors and all other officers of the organization shall receive no compensation for services rendered to the organization.

10. Term of Office and Removal

Each officer shall hold office for the term for which he or she is elected or appointed, and until his successor has been elected or appointed and qualified. Unless otherwise provided in the resolution of the Board of Directors electing or appointing an officer, his or her term of office shall be two (2) years. Any officer may be removed by the Board with or without cause, at any time. Removal of an

officer without cause shall be without prejudice to his or her contract rights, if any, and the election or appointment of an officer shall not of itself create contract rights.

ARTICLE X

FINANCIAL POLICIES AND PRACTICES

1. Fiscal Year

The fiscal year of the PTO begins July 1 and ends June 30.

2. Banking

All organization funds shall be kept in a checking account in the name of Joseph Sims PTO, requiring two signatures by the Board of Directors. The accounts shall be open and held at an Elk Grove financial institution. Bank statements shall be retained for no less than seven (7) years. The organization shall adhere to the policies and practice contained within the organization bylaws and any appendix to these bylaws.

3. Reporting

All financial activities of the organization shall be recorded in a ledger. The Treasurer shall reconcile the account or accounts monthly and report all financial activities to all Directors monthly. Reconciliation of funds against bank statements, online sales reports and PTO Website reports needs to be completed by a Director who is not the Treasurer, every month. The organization shall arrange for an independent review of its financial records no less than every three (3) years.

4. Ending Balance

The organization shall leave a minimum of 75% of the next school year's expenses in the PTO savings account and \$10,000 in the PTO checking account at the end of each fiscal year to cover the PTO's essential financial commitments for the following school year (such as but not limited to VAPA, Librarian, insurance, Moby Max, Discovery Streaming.) The projected fiscal budget for the upcoming school year will be voted upon by the general organization membership during or before the last meeting of the school year.

5. Contracts

Contract signing authority is limited to the President. All contracts will be available for review by the officers before and after signing by the President. All contracts will be stored in a shared digital folder managed by the officers.

6. Disposition of Assets Upon Dissolution

In the event of dissolution of the organization, all outstanding bills shall be paid and all remaining property and assets of the organization shall be distributed to Joseph Sims Elementary School or, if such disposition is not possible, to one or more organizations which are qualified as an "exempt organization" under Section 501(c) (3) of the Internal Revenue Code, as selected by the Board of Directors. In no event shall the remaining property and assets of the organization be distributed to any organization member or non-qualifying entity.

7. Financial Prohibitions

The organization shall not pay or provide any remuneration to the Officers of the Board, Committee Chairpersons, Committee Members or any other member of the organization for their volunteer services to the organization.

Organization funds shall never be commingled with the personal, professional, or business accounts of any individual, group or business. Included herewith is a

prohibition against providing organization funds on loan to anyone for any purpose.

8. Segregation of Duties

To protect against errors, omissions, fraud, and embezzlement in the handling of organization funds, banking duties, and other fiscal processes, no singular individual shall have complete authority over an entire financial transaction.

The Board of Directors shall adhere to the following conditions of financial management.

If a Director ...	The Director may not ...
Authorizes a service contract or purchase contract	Pay the supplier directly
Acts as custodian of petty cash	Approve petty cash reimbursements
Receives cash and checks for deposit	Open any mail addressed to the organization or in care of the organization

9. Amendments

Bylaws of the organization may be adopted, amended or repealed by vote of the Board of Directors at any time. The Board of Directors shall review Bylaws every five (5) years, and the Board of Directors may appoint a non-officer special committee to review and recommend amendments to the Bylaws.

APPENDIX 1:

FINANCIAL GUIDELINES

EXPENSE REIMBURSEMENT

Expenditures must be approved in advance by the person in charge of that budget item (usually the Committee Chair). When you have an expense to be reimbursed, please fill out a Reimbursement form, attach your receipts or invoice, have the appropriate committee chair or Board member sign it, make a copy for your records, put the form in the PTO lock box located in the school's front office, and notify the Treasurer. Reimbursement forms are located by the PTO lock box.

Checks will be distributed as indicated on the Reimbursement form (there is an option to select hand deliver, pick up from the school secretary or US postal service mail). Checks will not be left in the teacher's mailboxes.

Reimbursements will be processed within 30 days.

Reimbursement of expenses needs to be completed within the current PTO budget year (July 1-June 30). Committee Chair/Committee members making purchases must submit receipts within 60 days of receipt date, but before the end of the budget year. Members making purchases for an event/fundraiser will acknowledge that they've read Appendix 1: Financial Guidelines and understand the expectations by signing an acknowledgment form given to them by the Committee Chair.

It is the responsibility of the Co-Presidents to ensure all officers and directors complete the Acknowledgement form and upload it to our shared folder. Officers need to complete the form by August 1 each year. Directors need to complete the form within the first month of committee meetings.

PAYMENT OF INVOICES

Invoices must be forwarded/delivered to the Treasurer for payment. The treasurer will confirm the approved spending budget before preparing the check

for payment. Please provide the delivery method of the check when providing the invoice to the treasurer.

CASH BOXES

Committee chairs who have events scheduled that require cash collections may request cash boxes for storing money and making change. Please send a request to the Treasurer at least two (2) weeks prior to the event or fundraiser. Inform the Treasurer of the amount needed and specify dollar increments needed at the time of the request. Empty cash boxes should be returned to the PTO closet within one (1) school day following the event.

DEPOSITS

All deposits should be accompanied by a Deposit form. Please make sure the form is filled out completely and check your arithmetic before you submit it. Take a photo of the completed Deposit form and text or email it to the event/fundraiser lead and the Treasurer. Log the deposit in the binder located next to the safe, then drop the deposit into the safe. Deposit forms and envelopes are located next to the PTO lock box. Deposits must be made in a timely manner. The Treasurer will check the safe every other week and within one week after big events/fundraisers (\$1000+). Under special circumstances when access to the office or safe is not permitted, the event/fundraiser leads will coordinate a pick up or drop off with the Treasurer.

COLLECTING CHECKS

All checks must be made out to Joseph Sims PTO. Please ensure all printed and online communication clearly states that checks are to be made out to the Joseph Sims PTO. Verify that checks are signed and dated before submitting your deposit. Spreadsheet listing of checks may be substituted in lieu of the Deposit form as long as the printed document contains the same information as the Deposit. All checks must be counted and prepared for deposit at the school site.

COLLECTING CASH

For cash collections of \$100 or less, one (1) committee or Board member may count and initial the Deposit form at the time of receipt. Cash collections in excess of \$100 must be double counted and the Deposit form must be signed by two (2) committee and/or Board members at the time of receipt and before leaving the event.

All deposits containing cash should be dropped into the safe located in the Joseph Sims PTO closet within one (1) school day of receipt. Please DO NOT put cash deposits into the PTO mail box or lock box. The Treasurer will collect the deposits from the safe, verify the deposit amount and initial the Deposit form. All cash must be counted and prepared for deposit at the school site.

CHECK SIGNING AND USE OF CHECKING ACCOUNT DEBIT CARD

All officers and only officers will be check signers, to be instated or removed by August 1 each year.

Two officers, besides the treasurer, will be designated to be checking account debit card holders, to be determined after the election (not designated by position, but instead determined by need/most likely to make purchases). Officers no longer designated as debit card holder will return the card to the Treasurer by June 30 of each year. Debit card holder changes with our bank will become effective by August 1 of each year. (All termed-out officers will be removed as debit card holder and check signer by August 1 of each year).

The checking account debit cards can only be issued and used by board members who have check signing authority and are designated debit card holders. When a purchase is made, the purchaser will immediately (within 24 hours) inform the treasurer of the purchase, preferably by forwarding a copy or photo of the receipt by email. If the receipt cannot be forwarded easily, then an email notification should be sent within 24 hours of purchase, alerting the treasurer of the purchase. Within one week of purchase, the receipt must be given/forwarded to the treasurer, if it was not previously forwarded. Debit Card holders shall have no more than 3 late or missing receipts in a school year period, after 4th late or missing receipt the debit card will need to be surrendered to the treasurer.

Purchases must stay within the approved budget. Purchases can only be made or approved by the board member/lead who is responsible for the budget. The treasurer will be responsible for recording debit card entries into the ledger and will be responsible for reconciliation against the bank statements. The treasurer will be responsible for providing debit cards and destroying debit cards from previous board members. The treasurer will be assigned the role of Wells Fargo bank account executive by August 1st.

Schoolwide Fundraising/Membership Drives that teachers collect money from students in the classroom *Example: PTO Membership Drive*

Monies must be labeled with teacher and student names and then directly dropped into the PTO lock box. When such events are occurring, two (2) Board members must be present to open the lock box and count for deposit. Both Board members must complete and sign the Deposit form and submit a copy to the event Chairperson.

ACKNOWLEDGMENT OF BYLAWS

As a Joseph Sims Elementary School PTO Committee Member,
I, _____ (printed name), have read in its
entirety, understand, and agree to adhere to the BYLAWS OF JOSEPH SIMS
ELEMENTARY SCHOOL PARENT TEACHER ORGANIZATION, a California
Nonprofit Public Benefit Organization.

Signature

Date

Printed Name

Position

Committee Chair

Event/Fundraiser Title

ACKNOWLEDGMENT OF FINANCIAL GUIDELINES

As a Joseph Sims Elementary School PTO Committee Member,
I, _____ (printed name), have read in its
entirety, understand, and agree to adhere to the FINANCIAL GUIDELINES as it
pertains to my event and/or fundraiser as stated in Appendix 1 (pages 13-16) of
the BYLAWS OF JOSEPH SIMS ELEMENTARY SCHOOL PARENT TEACHER
ORGANIZATION, a California Nonprofit Public Benefit Organization.

Signature

Date

Printed Name

Position

Committee Chair

Event/Fundraiser Title