

Olinda Parent Teacher Organization Bylaws

Olinda Elementary School

3145 East Birch Street, Brea CA 92821

By-Laws 1986
Revision A June 1992
Revision B April 1993
Revision C May 1996
Revision D May 1997
Revision E April 1998
Revision F March 2005
Revision G February 2008
Revision H September 2008
Revision I March 2010
Revision J March 2012
Revision K March 2013
Revision L March 2014
Revision M March 2016
Revision N March 2018
Revision O October 2018
Revision P December 2018
Revision Q August 2019
Revision R August 2020

Article I – Name

The name of the serviced-oriented, non-profit organization is the Olinda Parent Teacher Organization (PTO).

Article II – Mission Statement

The purpose of this organization shall be:

1. To foster interest and knowledge about academic and curricular activities of Olinda Elementary School among parents and other community members.
2. To promote a better understanding between parents, faculty, staff and students.
3. To maintain communications through faculty representation on the Board.
4. To provide appropriate assistance to students and faculty.
5. To provide supplementary materials, services and trips through fundraising.

Article III – Basic Policy

Section 1. The name of the organization and/or the names of any members in their official capacities shall not be used in connection with a commercial or partisan interest.

Section 2. A donation deemed acceptable by the Board may be acknowledged and such action will not be construed to endorse or advertise any product.

Section 3. The organization will cooperate to support the improvement of education in ways that will not interfere with the administration of the school and will not seek to control the school's policies and curriculum.

Section 4. Any and all donations made to the Olinda PTO shall be used in their entirety to directly benefit the students, staff, and parents of Olinda School.

Section 5. Financial support of any other non-profit organization or outside facility with funds raised at Olinda is strictly prohibited.

Section 6. Reconciliatory disbursements (such as gift cards) that are rendered due to Olinda purchases must become property of Olinda PTO and used for the benefit of students, staff and parents of Olinda School.

Section 7. PTO-sponsored services for instruction and events held on school property must be contracted with BOUSD, not PTO and a Contractor Packet must be completed. (For procedures, see Addendum B.)

Section 8. PTO money is never to be counted in isolation. Money is never to be taken off school property, with the exception of cash needed for offsite events or when the treasurer makes deposits.

Section 9. All PTO activities must have the advanced approval of the PTO President(s) and school Principal.

Article IV – Membership

Section 1. Membership in this organization is open to parents, friends, faculty, staff and community members of Olinda Elementary School upon payment of annual dues.

Section 2. The annual dues of the organization shall be collected for use in the operation of the PTO and its projects.

Section 3. All Board and Committee members must contribute to annual membership dues.

Section 4. For teachers to receive benefits from PTO they must contribute to annual membership dues.

Article V – Meetings

Section 1. The elected Board shall meet each month unless notified at least one week in advance. The President and the Principal shall set a definite time and place for meetings prior to the beginning of the school year.

Section 2. All meetings of the PTO Board must have a quorum of 51% of the Voting Board (See Article VIII) in order to vote on agenda items or new business.

Section 3. All general meetings of the organization shall be held in accordance with the District calendar, which coordinates the calendar for all Brea school activities. The President has the right to call a special meeting with Board to discuss items, including budget, Board positions, and other administrative duties.

Section 4. Any new business that is presented from the general public, will have a 3 minute time limit. Discussion in regards to the new business will then take place at the next meeting to allow for ample time for review.

Article VI – Officers

Section 1. The officers of the organization will be:

President
1st Vice President – Parent Involvement
2nd Vice President – Ways and Means
3rd Vice President – Membership
Recording Secretary
Corresponding Secretary
Treasurer
Auditor
Historian (Yearbook)
Parliamentarian

Section 2. The officers shall be elected annually; however, officers are encouraged to serve two years in the same position if reelected.

Section 3. Each officer must be a member in good standing (refer to Article IV, Section 3 and Article XI) of the organization.

Section 4. All offices are eligible for a shared two-person position.

Article VII – Duties of the Officers

Section 1. The President shall:

- a. Meet with the Principal and his/her administrative assistant in June to determine the Board meeting schedule and set up the PTO calendar for the following year.
- b. Order school folders at least four weeks before school starts.
- c. Create and distribute meeting agendas 24 hours prior to PTO meetings.
- d. Preside over all General Membership and PTO meetings.
- e. Ensure completion by the Treasurer and President of a preliminary budget for presentation and ratification by the Board and General Membership at Back to School Night.
- f. Ensure completion of PTO packet for distribution at beginning of school year.
- g. Post events and information on PTO social media outlets, including Facebook and Instagram. .
- h. Create standing committees with approval from the Board.
- i. Serve as ex-officio member of all committees.
- j. Interpret, oversee and delegate appropriately for all school functions, activities, and programs as needed throughout the school year.
- k. Coordinate location, invitations and food for PTO Holiday Party.
- l. Ensure completion of Years of Service Awards.
- m. Ensure bylaws are updated by the end of term.
- n. Introduce incoming President at annual Installation Dinner.
- o. Serve as advisor to incoming PTO President and Board when appropriate.
- p. Other duties as deemed necessary.

Section 2. The 1st Vice President – Parent Involvement shall:

- a. Act as President in the absence of the President and the Parliamentarian.
- b. Be responsible for obtaining and assigning volunteer help as requested by the organization and school staff.
- c. Contact PTO President, Principal and Teachers/staff in early September to determine volunteer needs.
- d. Prepare a “Volunteer Sign Up” form as a section of the PTO packet and give to President(s) at the August meeting to include in the PTO packet.
- e. Coordinate volunteer training when needed.
- f. Maintain communication with school staff regarding volunteer requirements throughout the school year.
- g. Meet with the President to review names and eligibility for Years of Service Awards.
- h. Prepare/present Years of Service Awards at Open House General Meeting.

- Section 3. The 2nd Vice President – Ways and Means shall:
- a. Act as President in absence of the President and Parliamentarian, 1st Vice President.
 - b. Be responsible for all Ways and Means ~~and Family Fun~~ projects upon approval from the PTO Board.
 - c. Assist in determining fundraising goal prior to the initial budget meeting conducted before the beginning of the school year.
 - d. Plan and organize the annual school-wide fundraiser ~~and Family Fun events~~
 - e. For each event:
 - Consult with Principal and President(s) regarding event dates.
 - Create and distribute flyers and order forms.
 - Compile and submit to the Treasurer a spreadsheet of all checks/cash received after each event.
 - Comply with procedures in Section 7 of Article III – Basic Policy if applicable.

- Section 4. The 3rd Vice President – Membership shall:
- a. Act as the President in the absence of the President(s), Parliamentarian, and 2nd Vice President.
 - b. Be responsible for all membership dues collection, creating and maintaining the membership list, and running the membership drive.
 - c. Create spreadsheet of membership checks/cash for Treasurer.
 - d. Confer with Treasurer on deposit of membership dues.
 - e. Be responsible for planning Installation Dinner.

- Section 5. The Recording Secretary shall:
- a. Keep a complete record of the proceedings of all meetings of the general membership and the PTO Board, including a roster of PTO meeting attendees.
 - b. Keep a record, open for inspection, by any PTO member.
 - c. Summarize PTO actions for the President.
 - d. Type minutes of each Board meeting and forward to the President for review one week after the meeting
 - e. Send out monthly meeting minutes to all members at least one week prior to the next meeting.

- Section 6. The Corresponding Secretary shall:
- a. Correspond on behalf of the PTO as necessary, including thank you notes for all fundraiser business sponsors and invited speakers.
 - b. Read any important correspondence or a summary of same at Board meetings.

Section 7. The Treasurer shall:

- a. Keep accurate accounts of receipts and disbursements and report them at each meeting.
- b. Issue all checks from organization funds as authorized by the elected Board.
- c. Co-sign all checks with the President. All checks must have two signatures. If the president and/or treasurer is serving as a co, then one from each board position must sign (ex: one president/one treasurer.)
- d. Prepare the Fiscal budget using input from the President, the Principal, and the PTO Board. Fiscal budget shall be approved by the members at the Back to School night General Meeting.
- e. Prepare the monthly budget using input from the President, the Principal, and the PTO Board. The Board shall first approve any expenditure not covered in the budget and any line item budget overage.
- f. Complete annually, by November 15, both the California state and Federal tax forms prepared by designated PTO CPA/accountant in regards to the Board's tax-exempt status.
- g. Maintain revolving funds for the Board and all Committees.
- h. Update PTO Reimbursement & Deposit Procedures through discussions with the President and approval from the board. Stay in compliance with the PTO Reimbursement & Deposit Procedures
- i. Distribute and discuss PTO Budget and PTO Reimbursement & Deposit Procedures at first PTO Meeting of the year.
- j. Provide cash box and/or change for PTO functions as needed.
- k. Prepare books for the Auditor every 3 months for quarterly audit reports
- l. Review the PTO monthly bank statement in conjunction with the Auditor to ensure compliance with our insurance.

Section 8. The Auditor shall:

- a. Audit the books of the organization quarterly between July 15th and August 15th, or upon resignation of the Treasurer, or any time deemed necessary.
- b. Present a report to the Board quarterly and annually.
- c. Accomplish random audits to ensure appropriate accounting practices are maintained.
- d. Review the PTO monthly bank statement in conjunction with the Treasurer to ensure compliance with our insurance.

Section 9. The Historian shall:

- a. Coordinate, assemble and distribute school yearbook.
- b. Attend and photograph school functions, including Flag Assemblies.
- c. Recruit parent volunteers from each class to act as official class photographer.
- d. Provide guidelines for taking and submitting photos.

- e. Once the yearbook arrives, provide a copy for the Principal to review prior to distribution.
- f. Provide copy of yearbook to front office to serve as historical record.
- g. Maintain records of hours served by all members.

Section 10. The Parliamentarian shall:

- a. Act as President in the absence of the President.
- b. Attend all meetings of the organization and the PTO Board.
- c. Give necessary advice in parliamentary procedure.
- d. Call the first meeting of the Nominating Committee to give instruction in procedure. The Nominating Committee shall consist of the President, Parliamentarian, Principal (or designated staff member) and two other persons, appointed by the President.
- e. Ensure all Board members have a copy of the bylaws of the organization.
- f. Enforce the bylaws of Olinda PTO.
- g. Confer with the PTO President(s) when amending PTO bylaws, which are to be approved by the Board, posted for one week, and then presented at a general meeting for final vote.
- h. Coordinate an annual PTO Meet & Greet no later than March, prior to presenting the PTO slate for the spring elections.
- i. Track years of service of position holders in the PTO through review of rosters; to keep record of positions that should become open during the election process.
- j. Ensure that the PTO slate for the spring elections is posted at least one week prior to the Spring General Meeting.

Section 11. When an officer fails to attend three meetings without notice to the President or Board, the PTO may declare his/her office vacant until a successor is appointed by the President(s).

Article VIII. The PTO Board and Committees

Section 1. The voting members of the PTO Board shall consist of:

- a. Elected officers.
- b. The Principal or his/her delegated representative.
- c. One faculty representative.
- d. Any Board positions held by co-chairs are entitled to one vote. If both parties cannot agree on a vote, they will be required to abstain from voting.
- e. Voting by email is not a recommended practice of the PTO and will only be permitted under special circumstances.

Section 2. Conflict of Interest

All elected officers and chairman of each standing committee must sign a Conflict of Interest Policy (refer to Addendum A) at the Installation Meeting, prior to serving on the PTO.

Section 3. Standing Committees

- a. There shall be such standing committees created by the PTO Board as may be required to carry on the work of the organization.
- b. Committees shall be created by the President and must be approved by a vote of the Board.

1. Hospitality shall:

Plan and organize the Teacher/Staff luncheon in the fall and other special events as designated by the Board, given appropriate notice.

Plan and organize Staff Appreciation Luncheon during Staff Appreciation Week.

Ensure that decorations, when requested by the Board, are adequate for each occasion.

2. Safety Coordinator shall:

Help school staff with health and safety projects when requested.

Annually check classroom backpacks to make sure everything is in order and not outdated.

3. Staff Appreciation Week shall:

Organize daily activities for teachers and/or staff during Staff Appreciation Week.

Obtain gifts for office staff for Staff Appreciation Week if appropriate.

Comply with Section 7 of Article III – Basic Policy if applicable.

4. Visual Arts shall:

Provide art educational services to the students of Olinda.

Be in direct contact with the vendor of the program being implemented.

Report status of the art educational process to the Board monthly.

Coordinate procurement of appropriate supplies for the program as required.

Coordinate parent training sessions and student art assemblies, ensuring compliance with Section 7 of Article III – Basic Policy.

Organize fundraisers as appropriate.

Compile and submit spreadsheet of fundraising cash/checks to Treasurer.

5. Red Ribbon Week shall:

Coordinate with the Principal, teachers and volunteers to help each class develop a poster or banner for Red Ribbon Week.

Decorate the school with volunteer help on appropriate day(s).

Work with office staff on any other promotions.

Clean up after Red Ribbon activities.

6. Assemblies shall:

Research assembly options to present to PTO President and Principal.

Coordinate assembly dates with the Principal.

Ensure compliance with Section 7 of Article III – Basic Policy.

Arrange support for the assembly company from set-up to finish on the day of the event.

7. Cooks Night Out shall:

Schedule monthly Cooks Night Out fundraiser with Brea restaurants.

Publicize event through signs, fliers, and newsletters as appropriate.

Responsible for ensuring receipt of funds after event.

8. Family Fun Events shall coordinate the following:

For each event:

--Consult with Principal and President(s) regarding event dates.

--Create and distribute flyers and order forms.

--Compile and submit to the Treasurer a spreadsheet of all checks/cash received after each event.

--Comply with procedures in Section 7 of Article III – Basic Policy if applicable.

9. Book Fair shall:

Coordinate two Book Fairs a year, one in the fall and one in the spring.

Coordinate Book Fair dates with Scholastic.

Prepare all needed materials, including wish lists and gift certificates.

Coordinate with Vice President, Parent Involvement to recruit volunteers.

Create and send home Book Fair letter and flyer with students.

Decorate accordingly.

Prepare spreadsheet and deposit for Treasurer when Book Fair has ended.

10. Spirit Wear shall:

Coordinate school Spirit Wear orders and distribution in the fall and spring.

Create order form to be included in PTO packet in the fall.

Create and distribute order form in the spring.

Compile and submit order to vendor.

Request deposit and final check for vendor from the Treasurer.

Sort and distribute Spirit Wear when order arrives.
Compile and submit to the Treasurer a spreadsheet of all checks/cash.

Article IX – Elections

Section 1. The Nominating Committee:

- A. Shall consist of 5 members, at least one of whom shall be a school staff member.
- B. Shall be appointed by the President, subject to approval by the elected Board, by the March Board meeting.
- C. Shall consist of two appointed members who have not served on the committee in the prior year.
- D. Shall submit 1 or more names for each officer of the organization, first to the PTO Board, and then to the general membership at the Spring Meeting.
- E. Shall post the slate of officers for at least one week prior to the Spring Meeting.

Section 2. Nominations for office will be accepted via email, phone or text or via Interest Forms from the PTO Meet & Greet, and also taken from the floor at the Spring General Meeting. The election will be decided by ballot of those present if more than 1 candidate is seeking any office.

Section 3. Nominees for the offices of President, Treasurer, Auditor, or any elected officer authorized to sign checks shall not be related by blood or marriage or reside in the same household.

Section 4. At the time of elections, if a current Board Officer or Committee Chair has served a position for two consecutive years, that person shall be encouraged to vacate that position, however, shall not be prohibited from being considered for any and all open PTO positions.

Section 5. Election will be held at the Spring General Meeting and officers will assume their new responsibilities the last day of the school year. This will also be the last day served for the previous officer.

Section 6. The newly elected officers, upon their June installation, may officially start plans for the coming year.

Section 7. Vacancies shall be filled by Presidential appointment with the advice and consent of the PTO Board.

Article X - Amendments

Section 1. Proposed changes in bylaws will be written and approved by majority vote of the PTO officers prior to presenting to the General Membership.

Section 2. Bylaws may be finalized, changed or rescinded by a two-thirds vote at any General Meeting if the proposed amendments have been made available to the membership at least one week in advance.

Section 3. Bylaws shall be reviewed annually and updated at least every two years.

Article XI – Rules of Order

Section 1. Dismissal Procedures. In the event of a disruptive member or a member who does not follow the bylaws, the President as well as the Principal, will outline the concerns and inform the person through a verbal warning. Corrective steps will be given in order to avoid further issues with the productivity of the organization. This will be the only conversation that will occur.

If bylaws are then still not followed and disruption continues to occur, The Board may remove the Officer or Committee member for cause by two-thirds (2/3) board vote at any regular or special meeting of the board. Written documentation will be given to the removed member.

Automatic removal will occur for any egregious or criminal act.

Section 2. “Robert’s Rules of Order” shall govern this organization in all cases in which they are applicable and do not conflict with approved bylaws.

Article XII – Limitation of Organization

Section 1. The organization is a nonprofit public benefit organization and is not organized for the private gain of any person.

Section 2. No substantial part of the activities of this organization shall consist of carrying on propaganda or otherwise attempting to influence legislation, and the organization shall not participate or intervene in any political campaign (including the publishing or distribution of statements) on behalf of any candidate for Public Office.

Section 3. The property of the organization is irrevocably dedicated to charitable purposes and no part of the net income or assets of this organization shall ever inure to the benefit of any director, officer, or private person.

Section 4. Upon dissolution or winding up of the organization, its assets remaining after the payment or provisions for payment of all debts and liabilities of this organization shall be distributed to a non-profit fund, foundation, or corporation, which is organized and operated exclusively for charitable purposes and which has established its tax exempt status under IRS Section 501(c) (3).

(Addendum A)
Conflict of Interest

Section 1. Purpose

The purpose of the conflict of interest policy is to protect this tax-exempt organization's (Organization) interest when it is contemplating entering into a transaction or arrangement that might benefit the private interest of an officer or director of the Organization or might result in a possible excess benefit transaction. This policy is intended to supplement but not replace any applicable state and federal laws governing conflict of interest applicable to nonprofit and charitable organizations.

Section 2. Definitions

a. Interested Person

Any director, principal officer, or member of a committee with governing board delegated powers, who has a direct or indirect financial interest, as defined below, is an interested person.

b. Financial Interest

A person has a financial interest if the person has, directly or indirectly, through business, investment, or family:

- a. An ownership or investment interest in any entity with which the Organization has a transaction or arrangement,
- b. A compensation arrangement with the Organization or with any entity or individual with which the Organization has a transaction or arrangement, or
- c. A potential ownership or investment interest in, or compensation arrangement with, any entity or individual with which the Organization is negotiating a transaction or arrangement.

Compensation includes direct and indirect remuneration as well as gifts or favors that are not insubstantial.

A financial interest is not necessarily a conflict of interest. Under Section 3, subsection b, a person who has a financial interest may have a conflict of interest only if the appropriate governing board or committee decides that a conflict of interest exists.

Section 3. Procedures

a. 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 directors and members of committees with governing board delegated powers considering the proposed transaction or arrangement.

b. Determining Whether a Conflict of Interest Exists

After disclosure of the financial interest and all material facts, and after any discussion with the interested person, he/she shall leave the governing board or committee meeting while the determination of a conflict of interest is discussed and voted upon. The remaining board or committee members shall decide if a conflict of interest exists.

c. Procedures for Addressing the Conflict of Interest

i. An interested person may make a presentation at the governing board or committee meeting, but after the presentation, he/she shall leave the meeting during the discussion of, and the vote on, the transaction or arrangement involving the possible conflict of interest.

ii. The chairperson of the governing board or committee shall, if appropriate, appoint a disinterested person or committee to investigate alternatives to the proposed transaction or arrangement.

iii. After exercising due diligence, the governing board or committee shall determine whether the Organization can obtain with reasonable efforts a more advantageous transaction or arrangement from a person or entity that would not give rise to a conflict of interest.

iv. If a more advantageous transaction or arrangement is not reasonably possible under circumstances not producing a conflict of interest, the governing board or committee shall determine by a majority vote of the disinterested directors whether the transaction or arrangement is in the Organization's best interest, for its own benefit, and whether it is fair and reasonable. In conformity with the above determination it shall make its decision as to whether to enter into the transaction or arrangement.

d. Violations of the Conflicts of Interest Policy

i. If the governing board or committee has reasonable cause to believe a member has failed to disclose actual or possible conflicts of interest, it shall inform the member of the basis for such belief and afford the member an opportunity to explain the alleged failure to disclose.

ii. If, after hearing the member's response and after making further investigation as warranted by the circumstances, the governing board or committee determines the member has failed to disclose an actual or possible conflict of interest, it shall take appropriate disciplinary and corrective action.

Section 4. Records of Proceedings

The minutes of the governing board and all committees with board delegated powers shall contain:

- a.** The names of the persons who disclosed or otherwise were found to have a financial interest in connection with an actual or possible conflict of interest, the nature of the financial interest, any action taken to determine whether a conflict of interest was present, and the governing board or committee's decision as to whether a conflict of interest in fact existed.

- b.** The names of the persons who were present for discussions and votes relating to the transaction or arrangement, the content of the discussion, including any alternatives to the proposed transaction or arrangement, and a record of any votes taken in connection with the proceedings.

Section 5. Compensation

- a.** A voting member of the governing board who receives compensation, directly or indirectly, from the Organization for services is precluded from voting on matters pertaining to that member's compensation.

- b.** A voting member of any committee whose jurisdiction includes compensation matters and who receives compensation, directly or indirectly, from the Organization for services is precluded from voting on matters pertaining to that member's compensation.

- c.** No voting member of the governing board or any committee whose jurisdiction includes compensation matters and who receives compensation, directly or indirectly, from the Organization, either individually or collectively, is prohibited from providing information to any committee regarding compensation.

Section 6. Annual Statements

Each director, principal officer and member of a committee with governing board delegated powers shall annually sign a statement which affirms such person:

- a.** Has received a copy of the conflicts of interest policy,

- b.** Has read and understands the policy,

- c.** Has agreed to comply with the policy, and

- d.** Understands the Organization is charitable and in order to maintain its federal tax exemption it must engage primarily in activities which accomplish one or more of its tax-exempt purposes.

Section 7. Periodic Reviews

To ensure the Organization operates in a manner consistent with charitable purposes and does not engage in activities that could jeopardize its tax-exempt status, periodic reviews shall be conducted. The periodic reviews shall, at a minimum, include the following subjects:

- a. Whether compensation arrangements and benefits are reasonable, based on competent survey information and the result of arm's length bargaining.
- b. Whether partnerships, joint ventures, and arrangements with management organizations conform to the Organization's written policies, are properly recorded, reflect reasonable investment or payments for goods and services, further charitable purposes and do not result in inurement, impermissible private benefit or in an excess benefit transaction.

Section 8. Use of Outside Experts

When conducting the periodic reviews as provided for in Article VII, the Organization may, but need not, use outside advisors. If outside experts are used, their use shall not relieve the governing board of its responsibility for ensuring periodic reviews are conducted.

(Addendum B)

PTO-Sponsored Services for Instruction and Events Held on School Property

Section 1. PTO-Sponsored Instruction and Events Held on School Property

When PTO sponsors instruction and events to be on school property, BOUSD must sign the contract, not PTO and a Contractor Packet must be completed. The process is as follows:

- a. The appropriate Board member or Committee member gets a written quote for the service or event.
- b. The quote, along with the name, address and phone number of the vendor must be given to the Principal's administrative assistant **at least 45 days prior** to the event or deposit due date.
- c. The principal's administrative assistant completes the Contractor Packet.
- d. PTO writes a check to BOUSD for the cost of the event or services. The Principal's administrative assistant sends the check and the completed Contractor Packet to BOUSD **at least 30 days prior** to the event or deposit due date.
- e. BOUSD signs the contract and pays the vendor.

Section 2. PTO-Sponsored Events not Held on School Property

When PTO sponsors events not held on school property, PTO can sign the contract and pay the vendor(s) directly.