

BYLAWS OF KANELAND BLACKBERRY CREEK ELEMENTARY SCHOOL PARENT TEACHER ORGANIZATION, AN ILLINOIS NOT FOR PROFIT CORPORATION

ARTICLE ONE

NAME

This corporation, as incorporated and existing under and by virtue of the Illinois General Not for Profit Corporation Act of 1986, as amended, shall be named Kaneland Blackberry Creek Elementary School Parent Teacher Organization, which shall be referred to as PTO throughout the remainder of these Bylaws.

ARTICLE TWO

OFFICES

The principal office of the PTO shall be located at Kaneland Blackberry Creek Elementary School, 1122 South Anderson Road, Elburn, Kane County, Illinois. The PTO may have other offices designated by its members or its Board of Directors.

ARTICLE THREE

OBJECTIVES

Through the cooperative efforts of parents, students, faculty, and administration, the goal of the PTO is to enhance children's educational environment by fostering a sense of support, pride, and enthusiasm. In addition, the PTO shall strive to provide resources that will stimulate the growth of children and secure the highest advantages in physical, mental, and social education. The PTO exists to accomplish these goals by serving as a communications liaison and through fundraising.

ARTICLE FOUR

POLICIES

Section 1. The PTO shall be non-commercial, non-sectarian, non-partisan and not-for-profit, it shall not endorse a commercial enterprise nor a political candidate. The PTO is organized exclusively for charitable, religious, educational, and scientific 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 corresponding sections of any future federal tax code.

Section 2. The name of the PTO and the names of its officers in their official capacities shall not be used in connection with a commercial concern or with any partisan interest nor for any purpose other than the objectives of the PTO.

Section 3. The PTO shall not seek to direct the administrative activities of the school, the school board or their policies. No part of the net earnings of the PTO shall inure to the benefit of, or be distributable to, its members, trustees, officers or other private persons, Kaneland Blackberry Creek Elementary PTO / Incorporation of PTO / By-Laws /2483432 except that the 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 objectives cause hereof. No part of the activities of the PTO shall be the carrying on of propaganda, or otherwise attempting to influence legislation, moreover, the PTO shall not publish or distribute statements for any political campaign on behalf of any candidate for public office. Notwithstanding any other provision of this document, the 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 corresponding section of any future federal code, or
- (b) by an organization, contributions to which are deductible under section 170(c)(2) of the Internal Revenue code, or corresponding section of any future federal tax code.

Section 4. In the event of dissolution of the PTO, all outstanding invoices shall be paid and all remaining assets shall be given to the Kaneland Blackberry Creek Elementary School for educational use. Upon the dissolution of the PTO, assets shall be distributed for one or more exempt purposes within the meaning of section 501(c)(3) of the Internal Revenue Code, or corresponding section of any future federal tax code, or shall be distributed to the federal government, or to a state or local government, for public purpose. Any such assets not disposed of shall be disposed of by the Circuit Court of Kane County, exclusively for such purposes or to such organization or organizations, as said Court shall determine, which are organized and operated exclusively for such purposes.

ARTICLE FIVE MEMBERSHIP

Section 1. Qualifications and Dues. All parents/legal guardians, administration, faculty and staff of Kaneland Blackberry Creek Elementary School are PTO members. Except for Executive Board and Principal, members shall not have voting rights when electing the Board of Directors. There will be no fees or dues collected from a PTO member. Elections of Board Directors shall be held the later of the May meeting or the last meeting of the school year.

Section 2. Property Rights. No member shall have any right, title, or interest in any of the property or assets, including any earnings or investment income of the PTO, nor will any of the property or assets be distributed to any member on its dissolution or winding up.

Section 3. Liability of Member. No member of the PTO will be personally liable for any of its debts, liabilities, or obligations, nor shall any member be subject to any assessment.

Section 4. Annual Membership Meeting. The members shall meet annually during the school year on a date to be determined and announced by the Board of Directors.

ARTICLE SIX BOARD OF DIRECTORS

Section 1. Number. The authorized number of directors of the PTO is up to ten.

- (a) The Board of Directors consists of President, Vice-President, Secretary, Treasurer and Co-Treasurer, Communications Director, Fundraising Director and Co-Fundraising Director, and General Board Member.

Section 2. Principal. The Principal(s) at the elementary school shall be encouraged to attend PTO meetings.

Section 3. Faculty Advisor. The Faculty Advisor is a member of the teaching staff who shall be encouraged to attend PTO meetings and act as a liaison between the PTO and Kaneland Blackberry Creek Elementary School faculty members.

Section 4. Qualifications of Directors. Directors must be members of the PTO.

Section 5. Term of Office. The term of office of each director shall be one year, until the next annual meeting of members following the director's election and until the qualification of a successor in office.

Section 6. Powers. Except as otherwise provided in the Articles of Incorporation, or Bylaws, the powers of the PTO shall be exercised, its properties controlled, and its affairs conducted by the Board of Directors, which may, however, delegate the performance of any duties or the exercise of any powers to officers and agents, which the board, by resolution, designates.

Section 7. Replacement of Directors.

- (a) The Executive Board shall fill any vacancies between elections in any Executive Office via appointment of a PTO Member by the affirmative vote of the majority of the entire Executive Board.
- (b) Any person appointed or elected to fill a vacancy in the Board of Directors shall hold office for the remainder of the term of his or her predecessor in office.

Section 8. Compensation. No member of the Board of Directors shall receive compensation from the PTO.

Section 9. Liability of Directors. The directors of the PTO shall not be personally liable for its debts, liabilities, or other obligations.

ARTICLE SEVEN

DUTIES OF THE BOARD OF DIRECTORS

Section 1. The President shall preside over all PTO and Board of Directors meetings. In addition, the President shall provide information, as needed, to the Communications Director(s), as determined by the Communications Director(s), in a timely manner for inclusion in the PTO newsletter. The President shall facilitate communications between the Kaneland Blackberry Creek Elementary School administration, staff, and PTO.

Section 2. The Vice-President shall preside over all PTO and Board of Directors meetings in the absence of the President. The Vice-President shall manage the email account of the PTO. The Vice-President shall be responsible for forwarding any correspondence to the appropriate PTO member. The Vice-President shall maintain all records, including those of all committees and volunteers.

Section 3. The Secretary shall keep accurate minutes of all PTO, Board of Directors and committee meetings and shall be responsible for accepting nominations for election. The Secretary shall maintain the Bylaws and have them available at each meeting. The Secretary shall distribute by email the PTO minutes to all active board members and committee chairs at least one week prior to the next PTO or Board of Directors meetings with the exception of the May minutes, which must be distributed by email before the last day of school. The Secretary shall read the minutes (unless waived by motion) at the beginning of each meeting. The Secretary shall be spokesman for all communications between the PTO and media. The Secretary shall work alongside the Communications Director(s) to ensure that communications are accurately disseminated.

Section 4. The Treasurer shall be responsible for the immediate deposit of all PTO monies and keep accurate records of receipts and expenditures including, a ledger listing checks, deposits, fees and interest for each budgeted account. The Treasurer shall pay out any funds authorized by the PTO Board as indicated in Article Ten, Section 4 of these Bylaws. Blank checks will not be issued without prior PTO Board of Directors approval with the exception of "Fun Lunch". The Treasurer shall present an accurate itemized report from accounts reconciled at each PTO meeting and shall present the books for audit in a timely fashion, prior to the filing of year-end taxes. In addition, any member of the board may review quarterly, the work of the Treasurer to ensure that checks and deposits are appropriately written and match the amount and item indicated in the appropriate account or fund. The Treasurer is also responsible for overseeing the Webstore and any other financial accounts held by the PTO.

Section 5. The Communications Director(s) shall take accurate minutes in the absence of the Secretary and be responsible for any and all communications sent electronically to other members of the PTO. These include, but are not limited to, the PTO newsletters and website information. The Communications Director(s) shall maintain and update PTO member email addresses as well as maintain event information and dates updated as received by committees and disseminate same as deemed appropriate, including but not limited to calendar, newsletter, website, social media, and the outdoor sign. The Communications Director(s) shall work alongside the Secretary to ensure that communications are accurately disseminated to the outside community, as needed.

Section 6. The Fundraising Director shall aid committee chairs involved with fundraising events. Together, they shall set goals and obtain sponsorships and/or donations. The Fundraising Director shall maintain and send appropriate forms, documents and correspondence, specifically related to sponsorships and donations requested and

received. Donations and sponsorships shall be limited to the PTO activities.

Section 7. The general board member is to attend all PTO meetings. If the Secretary is not present the general board member will take PTO meeting notes. The general board member shall help at events, as needed and/or deemed necessary. They shall also help the Executive Board with any duties they may need help with. The general board member shall contact all vendors for our school's Knight Out fundraisers and make and post vendor flyers on the PTO page. They will also email the flyer to the Communications team by the second to last week of each month.

ARTICLE EIGHT

EXECUTIVE BOARD MEMBERS AND ELECTIONS

Section 1. The Executive Board of Directors shall consist of the following officers: President, Vice-President, Treasurer, Secretary, and Communications Director.

Section 2. Nominations for Officers shall be called by the Executive Board by the March or April meeting.

Section 3. Elections of officers shall be held the later of the May meeting, or the last meeting of the year, each to serve a one-year term. To be eligible for the elected position of PTO President or Vice- President, an individual must be actively involved in the school. Newly- elected officers shall assume their duties at the end of the current school year, with the exception of Treasurer who shall assume his/her position by July 31st, or at the time the books are reconciled with the Fiscal Year End Report, whichever comes first.

Section 4. The Executive Board shall appoint vacancies of any positions.

Section 5. If a vote results in a tie, the Executive Board re-votes.

ARTICLE NINE

MANAGEMENT

Section 1. PTO Board of Directors shall meet as deemed necessary. The meetings shall be open to the public with the Board of Directors having exclusive voting rights.

Section 2. PTO meeting times and agendas shall be set accordingly by the President. Special meetings shall be called at any time by the President or the Vice-President.

Section 3. The PTO Board of Directors needs to approve the Fundraising Director's proposed fundraising plan for the upcoming school year by the March meeting.

Section 4. PTO Board of Directors shall meet in the month of August to set a budget and to review bylaws, committees and events for the fiscal year.

Section 5. Reimbursement Request Forms, accompanied with receipt(s), must be

submitted to the Treasurer. Tax Exempt forms must be used for PTO purchases. The PTO will not reimburse sales tax paid by any committee member or board director. All receipts must be turned in within 30 days of event or purchase for any reimbursement. Reimbursement request forms turned in past 30 days will require Board of Directors approval.

Section 6. PTO Committee liason shall submit reports to the PTO prior to monthly PTO meetings. Liason must also provide information as needed to the PTO Communications Director(s) in a timely manner, as determined by the Communication Director(s), for inclusion in the newsletter.

Section 7. The PTO shall file all required financial reports with Federal, State and local government. Originals of all State and federal filings, as well as tax certificates and other legal documents shall be maintained in Kaneland Blackberry Creek Elementary School safe.

Section 8. PTO meetings shall be in compliance with Roberts Rules of Order.

Section 9. All checks and credit card purchases shall be signed and/or approved by the Treasurer and not less than one of the following: President and Vice President.

Section 10. Any Committee that has collected money for an event must have at least 2 Committee chairs and one Director present during the counting of funds. All money should be counted and deposited in a timely manner.

ARTICLE TEN

CONTRACTS, CHECKS, DEPOSITS, AND FUNDS

Section 1. Contracts. The Board of Directors may enter into any contract or to execute and deliver any instrument in the name of and on behalf of the PTO. This authority may be general, or confined to specific instances.

Section 2. Gifts and Contributions. The Board of Directors may:

- (a) Accept on the behalf of the PTO any contribution, gift, bequest, or devise of any type of property ("donations"), for the general and special charitable purposes of the PTO, on terms approved by the board or committee;
- (b) Collect and receive income from funds or property;
- (c) Contribute principal and income from donations received to charitable purposes designated by the board.

Section 3. Deposits. All funds of the PTO must be deposited to the credit of the PTO in banks or other depositories selected by the Board of Directors in a timely manner.

Section 4. Checks, Drafts, Orders for Payment. All checks, drafts, or orders for the payment of money, notes, or other evidences of indebtedness issued in the name of the PTO shall be signed by President or Vice-President and Treasurer. All expenditures exceeding

the approved budget must be approved by resolution of 2/3 majority vote of the Board of Directors at a meeting of the PTO, or unless deemed an emergency vote. An emergency vote is one that has to be decided on between meeting dates.

Section 5. All requests for expenditures not provided for in the budget must be presented to the Board of Directors not less than fourteen (14) days before the need for said expenditure. Requests for expenditures presented less than fourteen (14) days before the need for expenditure will be reviewed and considered by the Board of Directors if time permits.

Section 6. Any budget extension request should be voted on by 2/3 majority.

ARTICLE ELEVEN COMMITTEES

Section 1. The structure and formation of committees may vary based upon needs and budget.

Section 2. A PTO liaison will help each committee. Each PTO member will be responsible for at least one liaison position per school year.

Section 3. Committees shall thank the appropriate people or businesses involved with their committee as well as keep committee members updated.

Section 4. Committees shall report upcoming information to the Communications Director(s), as well as the PTO liaison, in a timely manner, as determined by the Communications Director(s).

Section 5. Committee chairs are responsible for working with board liaison and obtaining, completing, and submitting all required forms.

Section 6. Board of Directors cannot take the place of committee chairs unless otherwise approved.

ARTICLE TWELVE MISCELLANEOUS

Section 1. Books and Records. The PTO shall prepare and maintain correct and complete books and records of account. The PTO must also keep minutes of all meetings of its members, Board of Directors, and committees, and have them available on the PTO website or school office. All books and records of the PTO may be inspected by any director, or member, or the agent or attorney of either, or any proper person, at any reasonable time.

Section 2. Fiscal Year. The fiscal year of the PTO will begin on the first day of August and end on the last day of July in each year.

Section 3. Waiver of Notice. Whenever any notice is required to be given under the

provisions of the General Not for Profit Corporation Act of Illinois or under the provisions of the Articles of Incorporation or the Bylaws of the PTO, a written waiver of notice signed by the person entitled to notice, whether before or after the time stated, will be deemed equivalent to the giving of notice.

**ARTICLE THIRTEEN
AMENDMENTS**

Section 1. Power of Directors to Amend Bylaws. Subject to the limitations of the Articles of Incorporation and these bylaws, the bylaws of the PTO may be amended or repealed by resolution of 2/3 majority vote of the Board of Directors.

Section 2. These amended bylaws, as written above, have been approved and adopted by the Board of Directors on August 1, 2023, and subsequently on Tricia Klein, 2023.