

**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,

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 propoganda, 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 annual election of Directors, members shall not have voting rights. There will be no fees or dues collected from a PTO member. Elections of 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 DIRECTORS

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

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) Whenever a vacancy exists on the Board of Directors, whether by death, resignation, or otherwise, the vacancy shall be filled by appointment of a new director by the president of the PTO, and if that power is not exercised within fourteen (14) days after the president receives notice of the vacancy, by appointment by a majority of the remaining directors at a regular or special meeting of the board. Any person appointed or elected to fill the vacancy of a director will have the same qualifications as were required of the director whose office was vacated.

(b) Any person appointed or elected to fill a vacancy in the Board of Directors shall hold office for the unexpired 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. Emergency financial decisions (not to exceed \$500.00) prior to a board meeting must be approved by the Officers by resolution of 2/3 majority vote. 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. In addition, the Vice-President shall conduct any/all cost comparisons as deemed necessary for the PTO. 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.

## ARTICLE EIGHT OFFICERS AND ELECTIONS

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

Section 2. Nominations for Officers shall be called for at the Board of Directors 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 an active PTO member. 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 Board of Directors shall appoint vacancies of any offices.

## 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. Special meetings shall be called at any time by the President or at the request of any two Board members with no less than three (3) calendar days notice.

Section 3. 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 4. Reimbursement Request Forms, accompanied with receipt(s), must be submitted to the Treasurer. Expenditure item(s) shall be listed and approved by the Board of Directors. Tax Exempt forms must be used for PTO purchases. The PTO will not

reimburse sales tax paid by any committee member or board officer. All receipts must be turned in prior to the last official day of school for any reimbursements.

Section 5. Committees shall submit reports to the PTO prior to monthly PTO meetings. Committees 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 6. 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 7. PTO meetings shall be in compliance with Roberts Rules of Order.

Section 8. 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 9. Any Committee that has collected money for an event must have at least 2 Committee Members and one Officer 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 authorize any officer or officers, agent or agents of the PTO, to 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. The authorization should be by resolution.

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 as provided in Article Ten, Section 9. All expenditures exceeding

\$1,000 must be approved by resolution of 2/3 majority vote of the Board of Directors at a meeting of the PTO.

Section 5. All requests for expenditures not provided for in the budget must be presented to the Board of Directors not less than forty-five (45) days before the need for said expenditure. Requests for expenditures presented less than forty-five (45) days before the need for expenditure will be reviewed and considered by the Board of Directors if time permits.

## ARTICLE ELEVEN COMMITTEES

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

Section 2. Committees shall thank the appropriate people or businesses involved with their committee as well as keep committee members updated.

Section 3. Committees shall report upcoming information to the Communications Director (s) in a timely manner, as determined by the Communications Director(s).

## 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 keep them at the registered or principal 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 with input from the general PTO membership 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 5th, 2015, and subsequently on \_\_\_\_\_, 2017.