

Bear Creek Elementary School

Bear Creek Parent Teacher Organization (BCPTO)

Organization and Bylaws

Bear Creek Elementary School (BCES)
Bear Creek Parent Teacher Organization (BCPTO)
51 SE 13th St
Bend, OR 97702
Deschutes County, Oregon
Tax ID 27-31111667

Article I – Name and Description

Bear Creek Parent Teacher Organization, hereinafter referred to as BCPTO, is organized for charitable, educational and community purposes benefiting Bear Creek Elementary and its students under section 501 (c) (3) of the Internal Revenue Code, or corresponding section of any future federal tax code.

Article II – Purpose, Mission, and Code of Conduct

a. Purpose

BCPTO is an organization comprised of parent and staff volunteers affiliated with Bear Creek Elementary whose purpose is to support, through a variety of mechanisms, the education and enrichment of students and to support the staff at Bear Creek Elementary.

b. Mission

As an organization, the mission of BCPTO is to support the education and enrichment of students at Bear Creek Elementary by providing funds for activities, volunteering in classrooms, and hosting family events. BCPTO also supports staff at Bear Creek Elementary by providing volunteer and financial support, as well as acts of appreciation. This is done by encouraging family and community involvement, as well as, volunteer and financial support.

c. Code of Conduct

- 1.** Interact with respect for others within and outside of BCPTO
- 2.** Perform duties with integrity
- 3.** Make decisions and act in the best interest of Bear Creek Elementary students, staff and families
- 4.** Be present, participate and have fun!

Article III – Membership

- a.** A member of BCPTO is defined as a parent or guardian of a student currently enrolled at Bear Creek Elementary or staff who are currently employed at Bear Creek Elementary.
- b.** Member rights include the right to vote on all issues before the organization and elect board members, and the right to attend and participate in general meetings.
- c.** Membership is voluntary and there is no obligation to families or staff to join or participate. There are no dues required to be a member. A membership form may be used to register members, if applicable.

Article IV – Positions and Elections

Section 1. BCPTO Board Positions and Descriptions

The BCPTO board shall include the positions of President, Vice President, Secretary, Treasurer, Volunteer Coordinator, Communications Director, Bilingual Liaison, and Escrip Coordinator. The board may appoint other positions as necessary or withdraw positions if no longer relevant. For BCPTO to operate as an organization, the positions of President, Vice President, Secretary and Treasurer must be filled.

The duties listed below are not complete and board members may have additional or new duties that arise that fall under the list of tasks and responsibilities for their position. Board members' responsibilities may be shared if unforeseen circumstances emerge that may not allow them to fully carry out their responsibilities.

a. President

The President's responsibility is to lead the PTO in the best interest of the students, staff, and Bear Creek Elementary. The President's responsibilities include: organizing fundraisers and events, coordinating with school staff, community outreach, and assisting other PTO board members in their duties. The President shall set agendas and preside over PTO board and general meetings. The President shall keep staff members updated about events and coordinate the distribution of communications to staff, students, and board members. The President will work with other board members and committees to delegate or carry out tasks related to the functioning of the PTO.

b. Vice President

The Vice President shall assist the President with their responsibilities including: coordination of events and fundraisers, PTO meetings, coordinating the distribution of communications to staff, students, and board members and community outreach. The Vice President shall also assist with projects that fall under the operation of the PTO. The Vice President steps in for the PTO President in the event that the President is not available.

c. Secretary

The Secretary is responsible for maintaining records pertaining to BCPTO and organizational documents. The Secretary records minutes from all BCPTO general and board meetings and makes minutes available on the appropriate communication forum, to appropriate entities for business purposes, if applicable, and to individuals upon request. The Secretary assists in the distribution of flyers and posters and takes on some of the responsibilities of Communications Director if the position is vacant. The Secretary serves as the primary contact for soliciting donations and communication with sponsors and donors. The Secretary is also responsible for preparing and sending or posting thank you notes to sponsors, donors and volunteers.

d. Treasurer

The Treasurer is responsible for keeping all financial records including accurate records of all transactions of incoming funds and outgoing expenses from BCPTO accounts. The Treasurer deposits money from events, fundraisers, and donations into BCPTO bank accounts and pays expenses authorized by the BCPTO board. The Treasurer keeps an updated budget of transactions and presents a financial statement at meetings or when requested, and also prepares the end of the year statement for review by the BCPTO board. The Treasurer is tasked with the yearly registration of BCPTO with the State of Oregon, performs an audit annually or as necessary, and prepares and files taxes on behalf of BCPTO for the fiscal year they served as Treasurer. The Treasurer deposits and distributes money held on the behalf of other organizations at Bear Creek Elementary, keeping separate and accurate records of these transactions.

e. Volunteer Coordinator

The Volunteer Coordinator is responsible for recruiting and coordinating volunteers for events and fundraisers and assigning time slots for volunteers. The Volunteer Coordinator is also responsible for keeping a list of volunteers so they can be acknowledged for their time and service. If volunteers are performing community service, the Volunteer Coordinator may authorize time for this purpose.

f. Communications Director

The Communications Director is responsible for keeping Bear Creek Elementary families and staff informed of events, fundraisers and general PTO information by posting communications through various media including verbal or written announcements to staff and students, posted announcements, and online content. The Communications Director also coordinates with school staff to have announcements displayed on the reader board.

g. Bilingual Liaison

The Bilingual Liaison is responsible for communicating with and supporting the participation and involvement of Spanish speaking families. The Bilingual Liaison provides verbal translation to the group during PTO meetings, assists in translating written communications in various media and serves as a cultural advisor to the PTO.

h. Escrip Coordinator

The Escrip Coordinator is responsible for informing and educating Bear Creek Elementary families and staff about electronic rewards programs that give back to BCPTO and/or Bear Creek Elementary. The Escrip coordinator is also responsible for updating the status of these programs at general PTO meetings.

Section 2. Eligibility

Members are eligible for a position on the BCPTO board if they meet the definition of membership, as described in Article III, section a.

Section 3. Nominations and Elections

a. Nominations

1. Any parent or guardian of a student at Bear Creek Elementary or staff member of Bear Creek Elementary may be nominated for a position on the PTO board. A person can nominate themselves or be nominated by another party. Nominations are performed by filling out a nomination form and submitting it to the front office at Bear Creek Elementary or a current BCPTO board member. Nomination forms may also be brought to the general meeting on the day of elections.

2. In the event that elections are not able to be held in person and nominations forms cannot be turned in, nominations may be submitted by sending an email to BCPTO and indicating who is being nominated for which position, along with contact information.

b. Elections

- 1.** Elections shall be held the second to last meeting of the school year, also referred to as the annual meeting. Only parties that have been nominated and accept the nomination may be voted into a board position. Elections of board members shall be selected by the majority vote of those present, assuming a quorum. Voting may be by voice if a slate is presented (only one candidate has accepted the nomination for a position). If more than one candidate has accepted the nomination for a position, then vote shall be performed by ballot. Any candidate running for a position must be present during elections.
- 2.** If elections are not able to be held the second to last general meeting of the school year due to school closure or other circumstances, elections may be postponed. The BCPTO board will determine the appropriate time to hold elections under these circumstances.

Section 4. Terms of Office

- a.** Board positions, except the President, are elected to one-year terms that begin July 1st and end June 30th. The President shall hold their position for a two-year term, for their first term and then yearly thereafter. The President is not required to be re-nominated or elected during the second year of their two-year term. Each person elected may only hold one position at a time. All board positions are open during elections at the second to last general meeting of the school year, except for the President entering the second year of their term. Current board members will need to be nominated and accept the nomination to be eligible to be re-elected for their current position or to switch to a different position on the board, except for the office of the President, as stated above.
- b.** In the event that elections are not able to be held due to school closure or other circumstances, board members may choose to stay on for another one-year term without needing to be re-elected into their current position.

Section 5. Vacancies

- a.** In the event that a board position is vacated during the school year, membership shall be notified. If the position of President is vacated, the Vice President shall become President for the remainder of the school year. If any other position is vacated, the vacated position will be open to members.
- b.** Positions that have been vacated shall be filled through an election at the next general meeting after membership has been notified of the open position and time has been allotted to recruit a candidate for the open position. If no nominee for the required position is presented, the BCPTO board may allow more time to search for a candidate, not exceeding two general meetings after membership has been notified of the vacant position. The positions of the executive board, defined in Article VI, section 1, must be filled; all other positions may remain vacant if no nominee is presented.

Section 6. Removal from Office

- a.** Board members can be removed from their position by a two-thirds vote of those present, assuming a quorum, at a general meeting where previous notice has been given.
- b.** Cause for removal includes, but is not limited to: not fulfilling duties as outlined in these bylaws, misuse of funds, acting on one's personal agenda or a conflict of interest in regards to the functioning and operations of BCPTO.

Section 7. Compensation

The BCPTO organization is a volunteer organization. All BCPTO board positions are voluntary and will not receive compensation for their volunteer time. Any person acting as a volunteer on behalf of BCPTO, including members, shall be treated as such and not be eligible for compensation. Volunteers may earn volunteer hours, if applicable.

Article V – Meetings

Section 1. General PTO Meetings

- a.** Meetings shall be held to conduct the agenda of BCPTO. Meetings shall be held monthly during the school year, at the discretion of the BCPTO board. The dates and times of the meetings shall be decided collectively by BCPTO board members. Notification of meetings shall be sent out at least one week prior to the meeting by written or electronic format.
- b.** The budget shall be updated and available at each general meeting.
- c.** The BCPTO bylaws shall be summarized at the first general meeting of the school year and shall be available for review at all meetings. Any member may request a copy of the bylaws.

Section 2. Annual Meeting

The annual meeting shall be held at the second to last general meeting of the school year. The annual meeting is for receiving reports, electing board members, and conducting other business that should arise.

Section 3. Agenda

An agenda shall be set for each meeting. The order of business for general meetings shall be:

- | | |
|---|-------------------------|
| 1. Call the meeting to order | 5. Old business |
| 2. Read and approve the minutes
from last month's meeting | 6. New business |
| 3. Financial Report | 7. Announcements |
| 4. Correspondence | 8. Adjournment |

Section 4. Voting

Members are eligible to vote at general meetings. Each member is allowed one vote per issue as long as there is no conflict of interest. Only members in attendance at a meeting may vote.

Section 5. Quorum

A quorum shall be 5 members of the organization for business to be conducted at a general meeting.

Article VI – BCPTO Board

Section 1. Membership

The BCPTO board shall consist of an executive board and standing positions. It shall also include additional committees and chairs, if applicable. The executive board shall include the position of President, Vice President, Secretary, and Treasurer. Standing positions shall include Volunteer Coordinator, Communications Director, Bilingual Liaison, and Escarp Coordinator. An administrator of Bear Creek Elementary, in general the principal, shall also preside on the board as a silent member.

Section 2. Duties

The duties of the BCPTO board shall be to transact business between general meetings in preparation for the general meeting, set an annual budget and review the budget throughout the school year, plan fundraisers and events, address issues and requests that apply to the BCPTO board, but not general members, and other business that arises.

Section 3. Meetings

Regular board meetings shall be held monthly during the school year, at the discretion of the BCPTO board. The date and time of these meetings shall be determined by the BCPTO board members. Special meetings may be called by any two BCPTO board members, with one week notice.

Section 4. Quorum

Half the BCPTO board members plus one constitutes a quorum, in regards to the number of positions filled.

Section 5. Staff member participation

A staff member may attend a board meeting after he/she provides the PTO President or Vice President with advance notice. This will allow the staff member to represent themselves or act as a liaison between the other staff members and BCPTO.

Article VII - Committees

The board may appoint standing and temporary committees as deemed necessary to work on projects and help with the functioning of BCPTO. A temporary committee is terminated after work has been completed.

Article VIII - Finances

Section 1. Budget

A budget shall be set by the BCPTO board for the current school year and presented at the first general meeting for review and approval by majority vote, assuming a quorum.

Section 2. Bank Accounts

Funds for BCPTO shall be kept in bank accounts, except for \$100 in petty cash that may be kept in the safe in the office at Bear Creek Elementary to be used for events and fundraisers.

Section 3. Records

The treasurer shall keep accurate records of any disbursements, income and bank account information. All financial activity shall be traceable and recorded in an accounting system (such as Quickbooks). Documentation of transactions shall be available upon request to BCPTO members for review.

Section 4. Expenses

- a. The BCPTO board shall approve expenses of the organization. Unapproved expenses are subject to request for reimbursement by BCPTO. The BCPTO board may approve written requests not exceeding \$200 by a “yes” vote and signatures by a majority of board members, when a quorum is met. Any request over \$200 shall be presented at a general meeting to be voted on by members in attendance at that meeting, assuming a quorum.
- b. Items that already have monies set aside in the budget do not need to be voted on.

Section 5. Signers

Two authorized signatures shall be required on each check. Authorized signers shall be President, Vice President, Treasurer and Secretary. Authorized signers may not sign checks where there is a conflict of interest as defined in Article XI, section 2.

Section 6. Card Holders

The President and Vice President shall be authorized to hold debit cards to make purchases on behalf of BCPTO. The Treasurer shall not be a card holder to ensure financial checks and balances.

- a. A receipt or invoice attached to a debit card authorization form shall be submitted to the treasurer within two weeks of purchase.

b. Any missing receipts require an affidavit stating what the charges were for and signed by the card holder and treasurer.

Section 7. Reimbursement

Purchases made with cash or from personal accounts may be reimbursed pending submission of receipts with a reimbursement or vendor payment form and signed approval from the BCPTO President or Vice President and one other board member for requests of \$50 or less. Reimbursement requests exceeding \$50 may be brought to BCPTO board or general meetings to be voted on. Board members may not sign a request for reimbursement where there is a conflict of interest as defined in Article XI, section 2.

Section 8. Donations

In-kind or cash donations are accepted and will be used to support the functioning and mission of BCPTO. Donors may request a receipt for any donation made to BCPTO. Donors may indicate how they would like their donation to be used.

Section 9. Fiscal Year

The fiscal year is July 1st to June 30th, which correlates with the school year. The previous year's treasurer shall prepare and file taxes, as required by law, by September 30th of the following school year.

Section 10. End of year statement

The treasurer shall prepare a financial statement and summary breakdown at the end of the school year to be reviewed by the BCPTO board.

Section 11. Dissolution

In the event of the dissolution of BCPTO, any funds remaining shall be used to pay any outstanding debts. Funds remaining after debts have been settled may be donated to staff at Bear Creek Elementary and the school, with membership's approval, with the intent to be used in the best interest of the students, within the meaning of Section 501 (c) (3) of the Internal Revenue Code, or corresponding section of any future tax code.

Article IX – Amendments

These bylaws may be amended or rescinded at any general meeting, providing that previous notice was given at the prior meeting. Amendments or rescission will be approved by a two-thirds vote of those present at the meeting, assuming a quorum.

Article X – Dissolution of the Organization

BCPTO may be dissolved, provided notice has been given 14 days prior and an approval by two-thirds vote of those present at the meeting, assuming a quorum.

Article XI – Conflicts of Interest

Section 1. Purpose

The purpose of the conflict of interest policy is to protect this tax-exempt organization's interest when it is contemplating entering into a transaction or arrangement that might benefit the private interest of a board member 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 member, or member of a committee with governing board-delegated powers, who has direct or indirect financial interest, or who has a personal relationship with an individual who has direct or indirect financial interest that could be perceived as favoritism or nepotism, as defined below, is an interested person.

b. Financial Interest

A person has a financial interest if the person has a direct or indirect, through business, investment or family:

- i. ownership or investment interest in any entity with which the organization has a transaction or arrangement
- ii. compensation arrangement with the organization or with any entity or individual with which the organization has a transaction or
- iii. 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 or indirect remunerations as well as gifts or favors that are not insubstantial.

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 board members and members of committees with governing board-delegated powers who are 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, the interested person 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 whether 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, shall leave the meeting during 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 excising 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 members 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 Conflict 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 that 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 from the BCPTO board, general, and all committee meetings 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's 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. Periodic Review

To ensure that 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 once a year or after new board members are elected. The periodic reviews shall, at a minimum, include the following subjects:

- a.** Whether compensation arrangements and benefits are reasonable, are based on competent survey information, and are the result of arm's length bargaining.
- b.** Whether partnerships, joint ventures, and arrangements with other 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 an excess benefit transaction.

Signature of Printed Name Below

Signature of Printed Name Below

Printed Name and Title

Printed Name and Title

Date

Date

Amended changes approved 12 April 2021; effective as of 1 July 2021

Addendum of BCPTO Operations

Activities that Support the Mission

- a.** Provide good behavior incentives such as Bear Hugs and Golden Bears.
- b.** Organize and contribute to school wide activities such as carnivals, author visits, book giveaways (RIF – Reading is Fundamental), field trips, and other events voted on by the membership.
- c.** Provide luncheons for teachers and staff during teacher and staff appreciation days.
- d.** Provide meals for teachers and staff during parent-teacher conferences.
- e.** Purchase technical equipment, playground equipment, or other purchases at the request of the school administration and at the approval of BCPTO.
- f.** Act as an intermediary for clubs and organizations at Bear Creek Elementary, as well as for Bear Creek Elementary if needed (yearbooks, adopt an animal).
- g.** Maintain the front bulletin board by displaying welcome back art and coordinating with teachers to display artwork from each grade throughout the year.
- h.** Perform community service to give back to our community through volunteer service (Sparrow Club, Talent Show).

Specific Activities

- a.** BCPTO shall host a minimum of one evening family event per school year, as permitted.
- b.** BCPTO shall solicit donations and organize fundraisers to sustain the functioning of BCPTO, host events, and support the activities listed above.
 - i.** Solicited donations may be in-kind or cash.
 - ii.** In-kind donations shall be used as good behavior incentive rewards, raffle or auction items for drawings during events, or another purpose as deemed appropriate or specified by the donor.
 - iii.** Fundraising includes income from BCPTO events.
 - iv.** Fundraising includes income from escrow programs, such as Amazon Smile and Fred Meyer Community Rewards.

Authorized Purchases

Authorized purchases include, but are not limited to, food and raffle items for general meetings, food and supplies for conferences and staff appreciation, school events, and special programs.

Accepted Forms of Payment by BCPTO

- a.** BCPTO accepts cash, check and credit cards as forms of payment for fundraisers and events.
- i.** All checks must be written out to “Bear Creek PTO”.
- ii.** Credit cards are to be processed using a mobile credit card reader linked to a BCPTO account.
- iii.** The BCPTO Board shall decide which members may opt to have access to and use the mobile credit card reader.

Requests for Funds

- a.** Staff or administration at Bear Creek Elementary may request funds from BCPTO for the benefit of students by
 - i.** filling out a staff request form and submitting it to BCPTO
 - ii.** or presenting a request at a board or general PTO meeting
- b.** The BCPTO board may approve requests under \$200 or may defer them to be voted on at a general meeting. All requests over \$200 must be brought to a general meeting to be voted on.
- c.** Written requests presented at a general meeting require the staff member/administrator or their representative to attend the general meeting and present their request to be voted on and be available to answer any questions.

Special Circumstances

If Bear Creek Elementary is closed or partially closed due to weather or other circumstances, the BCPTO board shall determine whether BCPTO shall continue conducting business during the closure or to take a recess until the school resumes normal functioning.