

# Bylaws Template

## Pasadena Unified School District

### Site Annual Fund

#### Article I: Name

The name of this Site Annual Fund is:

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(hereinafter referred to as “the Fund”)

This Fund may also send marketing materials under the name:

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Every communication from, or on behalf of, the Fund will use one of these two names. All official communications, including reports to the district, will use the full primary name.

This annual fund is associated with (name of school):

#### Article II: Purpose

##### Section I.

The purposes of the Fund are the following:

- a. To provide supplemental funding for the children of the associated school, in accordance with site priorities

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- b. To increase educational outcomes by providing those supports for capital, labor, or consumable funding
- c. To advance equity and equality, inclusive of gender, sexual orientation, minority, disability, and socioeconomic status of students and families
- d. To collaborate constructively with all parent groups at the associated site (PTA, Site Council, ELAC, AAPC, et. al.)

## Section II.

The Fund is organized exclusively for the charitable, scientific, literary, or educational purposes within the meaning of the Section 501(c)(3) of the Internal Revenue Code or corresponding section of future Federal tax code which replaces Section 501(c)(3) (hereinafter "Internal Revenue Code")

The Board of Education reserves the authority to withhold of, or approve of, recognition of an Annual Fund.

## Article III: Policies

The following are basic policies for all Annual Funds required to be school-connected organization in compliance with Pasadena Unified School District (hereafter "PUSD") Board Policy BP 1230 and Administrative Regulation AR 1230, "School-Connected Organization"

- a. The Fund shall be nonsectarian and nonpartisan;
- b. The Fund shall work with site personnel and principals to make decisions, recognizing that legal responsibility to make decisions has been delegated by the people to boards of education and state authorities;
- c. The Fund shall work to promote the health, welfare, and educational attainment of children at the associated site, and will promote collaboration between parents, school administration, and the community at large;
- d. No part of the earnings of the Fund shall inure to the benefit of, or be distributed to its members or officers except to pay compensation for services rendered to the associated site, or to make payments in furtherance of the purposes of the Fund as outlined in Article II hereof;
- e. Notwithstanding any other provision of these articles, the Fund shall not engage in any activities which are not permitted under the Internal Revenue Code;

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- f. The Fund and its members shall not directly or indirectly participate in any political campaign for any candidate for public office in their official capacities. Violation of III.f is grounds for removal from the Fund membership;
- g. The Fund shall not endorse a commercial entity or engage in activities unrelated to the purpose of the Fund as described in Article II;
- h. The Fund shall not use the logo of the district or the school in its communications, but may use the school name
- i. Upon dissolution of the Fund, after paying for the debts and obligations of the fund, all remaining assets shall be transferred to the control of the Pasadena Unified School District.

## Article IV: Membership

### Section I.

All parents of students at the site associated with the Fund and all staff members employed at the site, are considered eligible to be voting members of the Fund.

### Section II.

Membership in the Fund shall be made without regard to race, color, creed, or national origin.

### Section III.

Residents of PUSD not otherwise qualifying under Section I may be solicited as members of the Fund, under the direction of the Fund Board. Any such solicitation shall be made in compliance with Section II.

### Section IV.

The Fund shall conduct an annual enrollment of members but shall admit persons at any meeting. New members may not vote until they have been present at a full meeting. Members must attest that they have read the district guidelines on Fund policies.

### Section V.

Each voting Section I member of the Fund shall pay annual dues of \_\_\_\_\_ dollars per member to the Fund. Each voting Section III member of the Fund shall pay annual dues of \_\_\_\_\_ dollars per member to the Fund. Member dues may, at the discretion of the

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Fund, be \$0. The Board of Education reserves the authority to deny dues if economic disparity impacts the membership of the Fund.

## Article V: Officers of the Board and Elections

### Section I.

Each officer shall be a member in good standing.

### Section II.

The officers of the Fund shall include at minimum a Chair, a Vice Chair, and a Treasurer. Other offices can be established at the discretion of the Fund. The Chair of the Fund must be a parent of a child enrolled at the associated site. The principal shall be the Vice Chair, presuming the principal is a member of the Fund in good standing. The Chair and the Treasurer may not be members of the same household or related by blood or marriage.

### Section III.

The election for officers of the Fund shall take place in November. The day for the Fund's election is \_\_\_\_\_. The nomination period shall begin on the first of October. Any member of the Fund may nominate any member of the Fund, including themselves, to an office of the Fund. If the Fund should not have a Chair and a Treasurer by December 1<sup>st</sup> of any year, the Fund shall be considered dissolved and will disburse its remaining funds in accordance with Article III.

### Section IV.

Only those persons who are eligible and have consented to nomination shall be considered candidates for office of the Board of the Fund. No person may serve in the capacity of more than one of the three main offices (Chair, Vice Chair, Treasurer).

### Section V.

The election for each office shall be held by ballot, unless there is only one qualified nominee for an office. If there is only one qualified nominee, the election can be held by voice vote.

### Section VI.

Officers shall serve for a term of one (1) year unless they no longer qualify as members in good standing. Should an officer no longer be a qualified member (e.g., children of a sitting Chair are no longer enrolled at the school site), that officer may serve for no longer than two months while a special election is called to replace that officer.

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No person shall serve in a specific office more than two (2) consecutive terms.

## Section VII.

Any office not filled by election other than the Chair and the Treasurer may be filled by appointment by the Chair, provided the candidate consents to the appointment.

## Section VIII.

Any member of the Fund who misses two meetings has voting privileges suspended until they have been present for two meetings.

If an officer fails to fulfill the duties of the office, or should the officer engage in behavior regarded as detrimental to the operations of the Fund or its purposes, or if any member should demonstrate that they are opposed to the annual fund policies of the district or the obligations of the fund, any officer may make a motion to remove that officer or member. Should the motion be seconded, a special meeting will be called no sooner than 5 school days and no later than 10 school days to have a vote on the matter. All existing members in good standing may participate in the vote.

As a School-Connected Organization, it is in the interests of the District that leadership in Annual Funds is clear, supported by the community, and is also compliant with district policies and guidelines. Any upcoming vote of contested leadership in an Annual Fund shall be communicated to the Superintendent and Board of Education.

The Board of Education may elect to remove any member of the Annual Fund.

## Section IX

All questions of procedure not covered in these bylaws shall be governed by the current edition of Roberts Rules of Order Newly Revised. Upon any change in the status of an officer, due to resignation, removal, or ending of term, all records and other materials pertaining to the operations of the Fund shall be returned to the Chair and Vice Chair.

# Article VI: Duties and Responsibilities

## Section I. Chairperson

The Chair shall:

- a. Coordinate the work of the Fund in accordance with the purposes of the Fund
- b. Communicate with staff regarding site needs

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- c. Preside over all meetings
- d. Appoint any officers, other than the Treasurer and Vice Chair, should offices be vacant
- e. Prepare the proposed annual priorities for the Fund
- f. Prepare the Fund report to be included with the Site Plan
- g. Be an authorizing agent for disbursement of money from the Fund
- h. Assume the duties of any office unfilled by election or appointment
- i. Ensure that the Budget of the Fund is approved prior to Winter Break
- j. Ensure that the Fund report is completed by May 15<sup>th</sup>.
- k. Ensure that the Fund Report is approved by the membership.

## Section II: Treasurer

The Treasurer shall:

- a. Keep a record of all payments into the Fund
- b. Maintain a record of members in good standing (payment of dues, if any)
- c. Keep a record of all disbursements from the Fund
- d. Report to the membership any discrepancies between the budget and disbursements
- e. Present a treasurer's report at every meeting of the Fund

## Section III: Vice Chair

The Vice Chair shall:

- a. Fulfill the duties of the Chair in the absence of the Chair
- b. Be an authorizing agent for disbursement of money from the Fund
- c. Ensure the proper posting and communication of the Budget and the Fund Report
- d. Include the Budget and Fund Report in the submission of the School Site Plan to the district office

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- e. File the Request for Recognition for the Fund with district administration, in compliance with Education Code 51521.

## Section IV: Reports

- a. Both the Budget of the Fund and the Annual Report of the Fund shall be a public document and should be available to any parent at the site at the main office of the site in both Spanish and English and any other language included in these bylaws by amendment.
- b. Both the Budget of the Fund and the Annual Report of the Fund should be posted to the Annual Fund section of the school's web site within 15 days of approval by the membership
- c. The Request for Recognition for the Fund should be posted to the Annual Fund section of the school's web site when filed with the District

## Article VII: Meetings

### Section I: Schedule

Meetings of the Fund will take place as follows:

The Fund may establish meetings on the frequency needed to meet the objectives of the fund. If the Fund has a recurring meeting (e.g., a meeting every month), that frequency should be detailed here:

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Should the Fund meeting on any other schedule, the following mandatory meetings should be here:

- October meeting (nomination meeting) \_\_\_\_\_
- November meeting (elections meeting) \_\_\_\_\_
- December meeting (approval of Budget) \_\_\_\_\_
- March meeting (Bylaws meeting) \_\_\_\_\_
- May meeting (approval of Fund Report) \_\_\_\_\_

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Meetings are to be scheduled in these bylaws by relative date (i.e., “first Thursday of”, “last Friday of”). All relative dates are set in accordance with the district calendar.

In addition, the Chair of the Fund may call a meeting by informing the members of a meeting with a minimum of ten (10) days notice, to amend the budget or to conduct other business.

Meetings may be conducted in person or virtually. If conducted in-person, the principal’s agreement must be acquired as to time and location on the school campus.

## Section II: Quorum

To establish a quorum, one of the following must apply:

- a. A majority of members in good standing are present
- b. A 2/3<sup>rd</sup> majority of the Board is present and the Fund has fewer than 8 voting members

## Section III: Majorities

All motions, including the approval of the Budget and the Final Report, shall require a simple majority vote.

## Section IV: Exceptions

Voting by proxy is not allowed. Members cannot cast votes for other members; members cannot delegate their vote to a third party. Members should consider only the goals of the Fund when voting.

## Article VIII: Committees

Any committees established by the Fund should be described in this section.

## Article IX: Amendments

Any amendment approved by the Fund should be listed here.

## Article X: Activities

### Section I: Guidelines

All fundraising activities shall be in compliance with district policy as detailed in BP 1230 and AR 1230, and Education Code



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Specifically:

- a. Education Code 49011 states any participation in fundraising activities by students and their parents/guardians and/or any donation of funds or property shall be voluntary.
- b. Title IX of the federal code of regulations prohibits sex-based discrimination in any school or other education program that receives federal money, irrespective of the source of funds. Title IX coverage extends to all public schools and organizations that are recognized as school-adjacent organizations under BP/AR 1230.
- c. Donations to a Fund are governed by the principles outlined in BP/AR 3290.
- d. Sales of food items (e.g., "bake sale" or other forms of food sales) are governed by the principles included in BP/AR 3554