

# **Luigi Aprea Parent Club Bylaws**

## **ARTICLE I – NAME & OBJECTIVES**

### **SECTION 1:**

The name of this association shall be the Luigi Aprea Fundamental School Parent Club, located in the City of Gilroy, California.

### **SECTION 2:**

The objective of this association shall be:

- a. To develop between administrators, teachers and parents such united efforts as will secure for every child the highest advantages in physical, mental, social and moral education.
- b. To bring into closer relation the home and the school that parents and teachers may cooperate in the education of the child.
- c. To promote the welfare of children in home, school and community.
- d. To support adequate laws for the care and protection of children.
- e. The Parent Club shall be inclusive and help organize activities and encourage active participation from staff, parents and students.

## **ARTICLE II – PROGRAM**

### **SECTION 1:**

The following is the purposes for which this organization has been organized: This organization shall be operated exclusively for charitable purposes within the meaning of Section 501(c)3 of the Internal Revenue Code of 1986 of the corresponding provisions of any future United States Internal Revenue Law. The program of the association shall be educational and philanthropic and shall be developed through meetings, committees and projects.

## ARTICLE III – POLICIES

### SECTION 1:

The association shall be non-commercial, non-sectarian and non-partisan.

### SECTION 2:

No commercial enterprise and no candidate for public office shall be endorsed by it. Neither the name of the association nor the names of its officers in their official capacity shall be used in any connection with a commercial concern or with any partisan interest or for any purpose other than the regular work of the association.

### SECTION 3:

The association shall seek neither to direct the administrative activities of the school nor control its policies. However, the association shall reserve the right to make suggestions and recommendations.

### SECTION 4:

The association may cooperate with other organizations and agencies active in the promotion of the overall health of children, including, but not limited to, physical health, emotional health and social health, provided the representative makes no commitments that bind the Association.

### SECTION 5:

Regarding Special Aid and Assistance:

Any class or student(s) may apply to the Parent Club for additional assistance in aiding the funding of an academic program, which enriches the students' education. The purpose of this program is to encourage our children and teachers to seek out opportunities that enhance over and above the regular curriculum- including for a special program awarded to the participant (s) class. This money is in addition to other monies that applicants have either earned and / or been given by other sources. The amount of money given to the applicant(s) shall be at the discretion of the Parent's Club, with input, as needed, by the site administrator and/ or teachers and/ or staff.

## ARTICLE IV – MEMBERSHIP AND DUTIES

### SECTION 1:

Any parent/ guardian/ stakeholder of children enrolled at Luigi Aprea Elementary School, interested in the objectives of the Association and willing to uphold its policies and subscribe to these bylaws is a member.

### SECTION 2:

The Luigi Aprea Parent Club shall have no dues as a requirement of membership.

### SECTION 3:

The fiscal year will begin July 1<sup>st</sup> and end June 30<sup>th</sup>.

## ARTICLE V – OFFICERS, NOMINATIONS, ELECTIONS AND APPOINTMENTS

### SECTION 1:

The following officers shall be elected or appointed in accordance with the procedures defined in these bylaws:

- President – maximum of 1
- Vice President – maximum of 1
- Secretary – maximum of 1;
- Treasurers – maximum of 2
- School Board Liaison – maximum of 1
- Hospitality Chairperson – maximum of 1
- Communications Chair – maximum of 1
- Fundraising Chairperson – maximum of 1
- Parent/Teacher Liaison – maximum of 1
- Scholarships/ Assemblies Chairperson – maximum of 1

### SECTION 2:

- a. The office of President, Vice President, Secretary and first Treasurer must be filled. These positions constitute the Executive Board of the organization. Members of the Executive

Board may only hold one position within the Executive Board. Executive Board members may hold other positions on the Board of Directors if elected or appointed to the position.

- b. The remaining positions constitute the Board of Directors. In all, these elected positions shall be referred to Officers of the Board.
- c. Each officer shall have only one (1) vote, even though they may hold more than one (1) office.
- d. A single person may hold one or more offices set forth above.
- e. These elected and/ or appointed Officers agree to uphold the Parent Club's bylaws and policies. Whenever a questionable issue arises, the elected Officers shall perform their duties in a professional and responsible manner and shall attempt to resolve all issues in a timely manner in accordance with the Parent Club's bylaws and policies.

## SECTION 3:

Each year, in January, a committee will be formed that will oversee the nomination and election process. This committee shall be called the "**Nomination Committee**" and will not hold a position as a voting committee. This committee will have three to five members and will select a chairperson from the members. Nominating Committee members shall consist of one (1) Parent Club Board of Directors, one (1) to three (3) parent, guardian, or other adult standing *in loco parentis* for a student at Luigi Aprea Elementary School who are not related to existing board members, and one (1) school representative.

### Nomination Process

- a. Nomination forms shall be made available in the office, sent home with each student (distributed to teachers) twenty-eight (28) days prior to the April Parent Club Meeting. Nomination and election information will also be sent in the April eBark, website, and social media.
- b. Nominations can be made by all General Members\* for the following Board of Directors positions\*\*:
  - President (prior Board of Director experience)
  - Vice President
  - Secretary
  - Treasurer 1 (prior Board of Director experience)
  - Treasurer 2
  - School Board Liaison
  - Hospitality Chairperson
  - Communications Chair
  - Fundraising Chairperson
  - Parent/Teacher Liaison
  - Scholarships/ Assemblies Chairperson
- c. Other committees, subcommittees, and committee team members that are not part of the Executive Board can be filled in the nomination process but will not be put onto the

ballot for election. All those nominated for committees & subcommittees will automatically be offered a part of that committee. These include but not limited to: Assembly Coordinator(s), Lost & Found Coordinator(s), Arts Alive Committee, Uniform Coordinator(s), etc.

- d. Nominations for President & 1<sup>st</sup> Treasurer must have served one (1) prior term on the Board of Directors before they can accept nomination for this office. Term does not need to be consecutive with the current year.
- e. All nomination forms are due back to the school and placed into the designated receptacle prior to the end of school (2:28pm) the Monday prior to the April Parent Club meeting.
- f. The Nomination Committee shall review nomination forms and present them at the April General Meeting.
- g. At the April General Meeting additional nominations may be presented from the floor and added to the ballot. At the close of the April General Meeting no additional nominations may be added to the ballot.
- h. The Nomination Committee will send emails to all nominated. All parties nominated for a position must accept the nomination via email within seven (7) days of the April Parent Club meeting to be added to the ballot.
- i. Those accepting nominations will be given an opportunity to publish a statement of qualifications in a special Parent Club Election eBark that will be emailed out fourteen (14) days prior to the last General Meeting of the school year. Nominees should not campaign for a position, especially on campus.

## SECTION 3:

### **Election Process**

- a. Nomination Committee will prepare the ballots.
- b. The election of officers shall take place on campus prior to or during the last General Meeting each school year.
- c. Each attending member of the Executive Board and General Members of the Parent Club shall have one (1) vote. Absentee ballots shall not be permitted.
- d. The election, if non-contested, may be voice vote. Any contested elections shall be by written ballot.
- e. The Nomination Committee will count the ballots where they lay.
- f. The candidate receiving the majority vote will win the election. In the event of tie the ballot for that position must be repeated until one candidate receives a majority vote or one candidate withdraws.
- g. In the event the candidate elected declines the position (at the time of notification) the ballot for that position must be repeated until a new candidate receives a majority vote.
- h. Election results will be posted after all nominees have been notified via email of the results by the Parent Club Secretary.

## SECTION 4:

### Term of Office

- a. An officer's term is one (1) school year, or until successors has been elected.
- b. No officer shall be eligible to the same office for more than two (2) consecutive terms.
- c. Exceptions to the term limits would be proposed by the Executive Board and voted on by the General Membership in the event no other nominations are provided.
- d. Officer's term shall be from the 1<sup>st</sup> day of school until the day before the following year start of school.
- e. Officers may hold more than one position on the Board of Directors but shall only have one (1) vote regardless of the number of positions held on the Board of Directors.

## ARTICLE VI – DUTIES OF OFFICERS

### SECTION 1:

The President shall preside at all meetings of the Parent Club and of the Executive Board, and Board of Directors. The President and Treasurers shall be responsible for preparing the annual report by the conclusion of their term of office and shall present the annual report at the following September general meeting. The President elect, along with the Executive Board elect, will fund the upcoming year's budget with input from the standing committees and Board of Directors.

### SECTION 2:

The Vice President shall act as an aide to the President, shall be the Executive Board advisor of all ex-officio sub committees, or determine suitable alternative, in the absence of the President, shall in their order perform the duties of the President.

### SECTION 3:

The Secretary shall keep an accurate record of the proceedings of all meetings of the Luigi Aprea Parent Club and of the Board of Directors, shall be prepared to refer to the minutes of previous meetings, and shall prepare a summary of all unfinished business for the use of the President. A copy of the minutes of the Executive Board and general meetings shall be filed in the School Office, and provided to the Communications committee for posting on the Parent Club web page. In the event the President and Vice President are unable to attend a meeting the Secretary will preside.

The Secretary shall conduct all necessary correspondence of the club, shall send out written notices of all general meetings, shall notify officers of the Executive Board and Board of

Directors meetings, shall supply each nominee with the job description of the office they seek, shall notify officers of the election and chairpersons of the appointment, and shall provide each Board-elect member with a copy of these Bylaws. The Secretary shall compile appropriate contact information (email and contact numbers) for all Parent Club Board of Directors Members at the beginning of the school year and provide electronic copy to all Board Members.

## SECTION 4:

The Treasurers shall receive all monies of the Club, keeping an accurate written record thereof following generally accepted accounting principle, and shall keep a record of membership donations. The Treasurers shall deposit monies in the name of the Club in the Club's account in a financial institution approved by the Executive Board; shall keep an accurate record of the receipts and disbursement of Club funds following generally accepted accounting principles. The Treasurers shall present a statement of account at every meeting of the Club and at other times when requested by the Executive Board and shall present the annual report at the August meeting following generally accepted accounting principles.

Non-allocated or non-budgeted funds shall be kept in the School Improvement and General Fund accounts for use and or spending as voted at the Parent Club meetings.

After any major event (such as Harvest Festival or May BBQ) all money counted must be deposited the next business day by the Treasurer and one of the persons (if not the Treasurer depositing the money) who counted the money. The President shall be present during the counting and approve all such deposits.

## SECTION 5:

The School Board Liaison shall provide coverage at public meetings of the Board of the Gilroy Unified School District and report to the Executive Board pertinent information. The Liaison shall represent the association in matters requiring the School Boards attention.

## SECTION 6:

The Hospitality Chairperson shall make provisions for school parties or functions approved by the Executive Board, and shall ensure that a room parent has been identified for every classroom with assistance from the sub-committee. The Hospitality Chairperson and sub-committee is generally responsible for Staff Appreciation week and the food for Kindergarten orientation.

## SECTION 7:

The Parent/Teacher Liaison shall serve as a liaison between Parent Club and the teachers of Luigi Aprea Elementary School, shall attend teacher staff meetings each month, and shall prepare a report to the Parent Club Board. The purpose of this position is to increase the quality of communication between the LAPC and teachers.

## SECTION 8:

The Communications Chairperson shall provide school news and photographs to the local community media and any other publicity avenue the Executive Board may deem necessary. The Communications Chairperson shall be responsible for putting up notification of events throughout the school when called upon by a committee chairperson. These notifications may include banners and/or posters. The Communications Chairperson may be called upon to communicate via email or print with room parents, and/ or staff, in order to organize efforts of Parent Club sub-committees, and relay important news to the parent/ teacher/ staff body on campus. A member of the Communications committee shall be responsible for updating the Luigi Aprea website, eBark, electronic marquee, physical signage and/ or social media platforms with appropriate information as provided by the Board, staff, teachers and other community outlets.

## SECTION 9:

The Fundraising Chairperson shall be responsible for organizing such fundraisers as deemed necessary by the Executive Board. The Fundraising Chairperson may assemble a committee of volunteers to help fulfill the requirements of this position.

## SECTION 10:

The Education Chairperson shall keep the Executive Board and membership aware of educational trends, school programs and make appropriate recommendations. The Education Chairperson shall be responsible for recommending and scheduling all Parent Club sponsored assemblies and shall be the chairperson for the Scholarship Committee.

## SECTION 11:

### **Vacancies**

- a. If there is a vacancy in the office of President, the Vice President will become the President. Members from the General Membership will fill the Vice President vacancy

through an election at the next regularly scheduled meeting by the General Members in attendance.

- b. If there is a vacancy of the first treasurer, the second treasurer will have the option to take that position. If they choose to not take that role or the second treasurer role becomes vacant, members from the General Membership will fill the vacancy through an election at the next regularly scheduled meeting by the General Members in attendance.
- c. If there is a vacancy in any other office, members from the General Membership will fill the vacancy through an election at the next regularly scheduled meeting by the General Members in attendance.

### **Removal From Office**

- a. Board of Directors can be removed from office with or without cause by the following procedure: Two-thirds of those present (assuming a quorum) at a regular general meeting where 14 days prior notice has been given will vote to propose a recall ballot and two-thirds of those present (assuming a quorum) at the next regular meeting where 14 days prior notice has been given vote to recall the officer(s).
- b. When an officer fails to diligently attend to duties of the office which includes attendance of monthly Executive Board meetings and Board of Director meetings, the Executive Board may declare the office vacant. With motion and majority vote by the Board of Directors, an officer can be removed from office and members from the general membership will fill the vacancy through an election at the next regularly scheduled meeting by the General Members in attendance.

## **SECTION 13:**

Each officer, in case of resignation, shall turn over to the successor or President records, books, funds and other material pertaining to the office, within two weeks or sooner of resignation.

## **SECTION 14:**

President and Treasurers shall seek to retain the services of a disinterested third party, professional financial auditor, for the purpose of performing an audit of the financial records at the conclusion of the fiscal year. The audit shall be filed with the Recording Secretary. Photocopies of the audit shall be made available to any interested parties for review.

## **SECTION 15:**

At the conclusion of the fiscal year, the President and Treasurers shall seek to retain the services of a disinterested third party, professional income tax person, for the purpose of

preparing the income tax forms for the fiscal year. The income tax forms shall be retained by the Treasurers along with the financial records and shall be disclosed in the Treasurer's Annual Report.

## SECTION 16:

At the commencement of the fiscal year, the President and Treasurer shall obtain a Policy of Property and Casualty Insurance containing sufficient liability coverage for gatherings sponsored by the Parent Club. Evidence of such an insurance policy shall be presented at the regular November Parent Club Meeting.

## ARTICLE VII – MEETINGS

### SECTION 1:

Regular and executive meetings of the Parent Club shall be held monthly for each calendar month of the school year, unless otherwise announced. Specific days and times will be determined by the current board. Executive meetings are open to Board Members only. For matters of sensitive nature, including removal from office or potential removal of office from the Board of Directors, the Board of Directors will hold a closed session special meeting to take action.

Special meetings or regularly scheduled board meetings may be called by the Board of Directors upon written notice sent to the membership at least three (3) days before the meeting.

### SECTION 2:

The Parent Club meeting in May shall be the Annual Meeting at which time officers shall be elected. Each attending member of the Executive Board and General Members of the Parent Club shall have one (1) vote. Absentee ballots shall not be permitted.

### SECTION 3:

The privileges of making motions and voting at Parent Club meetings shall be limited to the Board of Directors of the Parent Club. The privileges of holding office, determined at the May Parent Club meeting of the school year prior, and debating issues on hand, at any Parent Club meeting, shall be extended to all parents/ guardians/ stakeholders of students currently enrolled at Luigi Aprea Elementary School.

## SECTION 4:

Sixty percent (60%) of the Board of Directors shall constitute a quorum.

## ARTICLE VIII – REPRESENTATIVES

### SECTION 1:

The Faculty Representative shall be a teacher on staff at Luigi Aprea Elementary School. The representative shall provide the views of the faculty regarding Parent Club agenda items and shall serve a term of no more than two (2) consecutive years.

### SECTION 2:

The Principal of Luigi Aprea Elementary School shall act as the representative of the administration.

### SECTION 3:

No Representative holds voting privileges. These representatives act in advisory roles only.

## ARTICLE IX – EXECUTIVE BOARD and BOARD OF DIRECTORS

### SECTION 1:

The Board of Directors shall consist of officers of the Parent Club and the chairpersons of standing committees.

### SECTION 2:

The Board of Directors shall transact necessary business between general meetings. It may authorize the payment of bills and create such standing committees as are deemed necessary to carry on the work of the Parent Club.

### SECTION 3:

The Board of Directors shall meet at least once a month during the school year. The President may call special meetings of the Executive Board and/ or Board of Directors.

## SECTION 4:

Each Chairperson, in case of resignation, shall turn over to the successor, or President, all records, books, funds and other material pertaining to the office upon resignation.

## SECTION 5:

At the beginning of their term of office, each member of the Executive Board shall be given a copy of the Bylaws by the outgoing Secretary and shall be responsible for making a thorough study of them. A copy of these Bylaws shall be made available to any member of the Parent Club upon request to the Secretary.

## SECTION 6:

A meeting of the Executive Board-elect may be called by the President-elect to ratify Chairpersons, fill vacancies on the Board-elect and make plans for the coming year's work.

## SECTION 7:

The signatures of four (4) members of the Executive Board shall be listed on all bank accounts with the signatures of two (2) of these members required to validate a check. Customarily, these members will be the President, Vice President and the Treasurers. No loans shall be made by the organization to its officers or members. More than one family member is prohibited from being a signer on the same account.

# ARTICLE X – SUB- COMMITTEES

## SECTION 1:

The Board of Directors may create sub-committees as may be required to carry on the work of the Parent Club.

## ARTICLE XI-USE OF TECHNOLOGY

### SECTION 1:

The Parent Club shall strive to use electronic technology to communicate with its members and school community. The rules set forth in the Luigi Aprea Parent Club Electronic Media Policy shall govern the use of electronic media.

Any and all user names and passwords associated with the Luigi Aprea Parent Club technology shall be made available to the elected officers.

### SECTION 2:

The Luigi Aprea Parent Club shall use member email addresses and email correspondence only for specific Parent Club communications. Member email addresses and email correspondence shall not be given to or sold to a third party for the purposes of marketing or solicitation.

## ARTICLE XII- DISSOLUTION

### SECTION 1:

Upon the dissolution of this organization, assets shall be distributed for one or more exempt purposes within the meaning of section 501c3 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 a public purpose.

## ARTICLE XIII- MONETARY POLICY

### SECTION 1:

The Board of Directors shall have power to incur indebtedness only for the ordinary and current expenses of the Parent Club. Any expenditures of between two-hundred fifty dollars (\$250) and two thousand four-hundred ninety-nine dollars (\$2,499) not included in a current budget duly approved by the Board of Directors must be approved by the Board of Directors through a vote. Any expenditures of more than two thousand, five hundred dollars (\$2,500) not included in a current budget duly approved by the Board of Directors, must be approved by the General Members at a regular or special meeting of the general membership by a majority vote. Absentee voting shall not be permitted.

## ARTICLE XIV- CONFLICT OF INTEREST

### SECTION 1:

An interested member of the board, officer, or staff member shall not participate in any discussion or debate of the board, or of any committee or subcommittee, in which the subject of discussion is a contract, transaction, or situation in which there may be a perceived or actual conflict of interest. However, they may be present to provide clarifying information in such a discussion or debate unless objected to by any present member of the board.

## ARTICLE XI – AMENDMENTS

### SECTION 1:

These Bylaws may be amended at any regular meeting of the Luigi Aprea Parent Club by a two-thirds vote of the members present, provided the amendment has been presented in writing to the membership at the previous meeting and appears in the notice of the meeting at which it is to be amended. Amendments are effective immediately unless otherwise specified. A thorough review of these bylaws may be conducted every three years.

## ARTICLE XII – RULES OF ORDER

### SECTION 1:

“Roberts Rules of Order Revised” shall govern this association in all cases where applicable and not incompatible with these Bylaws.

## APPROVAL OF BYLAWS

These bylaws are hereby approved by the Board of Directors of the Luigi Aprea Parent Club on March 28, 2018.

Organized originally as: E.E. Brownell Fundamental School Parents Club, September 5, 1978.